

CONFEDERATED SALISH AND KOOTENAI TRIBES

OF THE FLATHEAD RESERVATION

SURFACE WATER QUALITY STANDARDS AND ANTIDEGRADATION POLICY

EFFECTIVE DATE: APRIL 27, 1995

CONTENTS

CHAPTER 1: WATER QUALITY	1
PART I. GENERAL PROVISIONS	1
Section 1.1.1 Authority.	1
Section 1.1.2 Severability.	1
Section 1.1.3 Other Law.	1
Section 1.1.4 Review and Revision of Standards	2
PART II. PROCEDURES	3
Section 1.2.1 Water Quality Standards and Antidegradation Policy.	3
PART III. SURFACE WATER QUALITY STANDARDS	4
Section 1.3.1 Policy.	4
Section 1.3.2 Application and Composition of Surface Water Quality Standards.	4
Section 1.3.3 Definitions.	5
Section 1.3.4 Classifications.	11
Section 1.3.5 A-Closed Classification	12
Section 1.3.6 A-1 Classification.	15
Section 1.3.7 B-1 Classification:	18
Section 1.3.8 B-2 Classification:	23
Section 1.3.9 B-3 Classification:	26
Section 1.3.10 C-1 Classification:	29
Section 1.3.11 C-2 Classification:	31
Section 1.3.12 C-3 Classification:	35
Section 1.3.13 General Requirements and Limitations.	38
Section 1.3.14 Sampling Methods.	41
Section 1.3.15 Biological Standards.	42
Section 1.3.16 Radiological Standards.	42
Part IV. ANTIDEGRADATION POLICY	43
Section 1.4.1 Antidegradation Policy	43
Section 1.4.2 Tiered Classifications of Reservation Surface Waters	43
Section 1.4.3 Applicability & Limitations of Antidegradation.	45
Section 1.4.4 Antidegradation Review Process. (Reserved)	46
Section 1.4.5 Use Attainability Analysis (Reserved)	46
Section 1.4.6 Antidegradation Implementation (Reserved)	46
Section 1.4.7 Critical Condition Identification Procedures (Reserved)	46
PART V MIXING ZONE POLICY	48
Section 1.5.1 Mixing Zone Policy (Reserved)	48
Section 1.5.2 Narrative Toxics Standards (Reserved)	48
PART VI. COMPLIANCE WITH STANDARDS	49

Section 1.6.1 Investigation of Reported or Suspected Non-Compliance.	49
Section 1.6.2 Preliminary Findings.	49
Section 1.6.3 Investigation Report and Recommendations.	50
Section 1.6.4 Compliance Order -- Civil Action -- Exemption.	51
PART VII. COMPLIANCE PROCEDURES, REQUIREMENTS, AND ORDERS ...	54
Section 1.7.1 Purpose.	54
Section 1.7.2 Definitions.	54
Section 1.7.3 Notice of Unpermitted Discharge by Department.	54
Section 1.7.4 Required Notice to Department of Release or Unpermitted Discharge.	55
Section 1.7.5 Immediate Notice Of Unpermitted Discharge - How Given by Responsible Party.	56
Section 1.7.6 Contents of Immediate Notice of Unpermitted Discharge or Release.	56
Section 1.7.7 Contents of Subsequent Written Notice of Unpermitted Discharge or Release.	58
Section 1.7.8 Failure to Notify May Be Basis of Civil Action.	60
Section 1.7.9 Cleanup Orders, Plans and Operations.	60
Ordinance 89-B, Chapter 3, Part 2.	60
Section 1.7.10 Cleanup Order, Contents.	63
Section 1.7.11 Noncompliance with Order.	64
Section 1.7.12 Notices of Violation and Cease and Desist Order.	65
PART VIII NONPOINT SOURCE POLLUTION MANAGEMENT (Reserved). ..	66
Part IX 401 CERTIFICATION.	68
Section 1.9.1 - Introduction.	68
Section 1.9.2 - Purpose.	68
Section 1.9.3 - Definitions.	69
Section 1.9.4 - Authority to Act.	69
Section 1.9.5 - Application.	70
Section 1.9.6 Public Notice and Public Hearings.	73
TRIBAL CRITERIA CHART.	76

CHAPTER 1: WATER QUALITY

PART I. GENERAL PROVISIONS

Section 1.1.1 Authority.

These rules are adopted by the Tribal Council upon recommendation of the Natural Resource Department, under authority of Ordinance 89B of the Confederated Salish and Kootenai Tribes, the Water Quality Management Ordinance, Sections 1-2-102, 1-2-201, 1-2-204, 1-2-206. After consideration of Section 1-2-208 by the Department, these rules are promulgated pursuant to Ordinance 86B, the Tribal Administrative Procedures Ordinance.

Section 1.1.2 Severability.

If any word, phrase, clause, sentence, paragraph, section, or other part of these rules is held invalid by any court of competent jurisdiction, such judgment shall affect only that portion held invalid.

Section 1.1.3 Other Law.

These rules in no manner supersede or negate the necessity of any person to obtain permits or conduct such environmental studies as may be required by Federal or Tribal authorities for any conduct or activity affecting or potentially affecting Reservation waters.

Section 1.1.4 Review and Revision of Standards

Standards will be reviewed and revised in accordance with Ordinance 89-B, Chapter 2, Part 2, Sections 1-2-201 through 1-2-210.

PART II.

PROCEDURES

Section 1.2.1 Water Quality Standards and Antidegradation Policy.

The rule-making procedures found in the Tribal Administrative Procedures Ordinance No. 86-B will be followed with respect to the classification and adoption of standards for, and antidegradation policy decisions regarding, Reservation waters, including all surface water bodies and wetlands of the Flathead Reservation.

PART III. SURFACE WATER QUALITY STANDARDS

Section 1.3.1 Policy.

The following standards are adopted to preserve, protect and maintain the chemical, physical, and biological integrity of the surface waters and wetlands of the Flathead Reservation and shall be effective thirty days after adoption, pursuant to the Tribal Administrative Procedures Ordinance 89B.

Section 1.3.2 Application and Composition of Surface Water Quality Standards.

- (1) The standards in this Part are adopted to establish maximum allowable levels or concentrations of pollutants and provide a basis for protecting water quality that is presently better than standards require for surface water quality and to establish a basis for limiting the introduction of pollutants which could affect existing or designated uses of Reservation surface waters.
- (2) The provisions of sections 1.3.13 and 1.3.14 apply to all surface waters unless they specifically conflict with sections 1.3.4 through 1.3.12, in which case the requirements of sections 1.3.4 through 1.3.12 shall prevail.

- (3) The Department will utilize the updated human health risk levels (1/1,000,000) for priority pollutants and other pollutants specified in the EPA Region VIII 1993 CWA 304(a) Criteria Chart as amended in the Tribal Criteria Chart as its standard for allowable levels. The Department also adopts a human health and aquatic life standard of 0.12 ug/L for silver. Current copies of this material may be obtained (for 25 cents per page plus postage) from the Environmental Protection Division of the Natural Resources Department, P.O. Box 278, Pablo, Montana 59855, phone (406) 675-2700.

Section 1.3.3 Definitions.

In this Part, the following terms have the meanings indicated below and are supplemental to the definitions given in the Water Quality Management Ordinance 89B, Section 1-1-102, which additional terms when used herein are incorporated by this reference.

- (1) "Best Management Practices" ("BMP's") means schedules of activities, operational practices, maintenance procedures, and other management practices adopted by rule or incorporated by an agency as a condition of a permit or contract to prevent or reduce the pollution of Reservation waters. Best Management Practices may also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or

leaks, sludge or waste disposal, or drainage from raw material storage.

- (2) "Contaminated sediments" means sediments containing any of the specifically regulated toxic pollutants included in the Tribal Criteria Chart.
- (3) "Conventional water treatment" means, in order of application, the processes of coagulation, sedimentation, filtration and chlorination. It may also include taste and odor control and lime softening.
- (4) "Deleterious substances" means any physical, chemical or biological materials in concentrations or amounts that do or could impair the existing uses of Reservation surface waters.
- (5) "Department" means the Tribal Natural Resources Department.
- (6) "Designated use" means those beneficial uses of Reservation waters which are specified under sections 1.3.4 - 1.3.12 whether or not they are being attained. In addition, it is the intent of these regulations that all "existing uses", as defined under 1.3.3(10) be designated as they become known.

- (7) "Discharge" means any addition of pollutants or combination of pollutants to Reservation waters from any point source.
- (8) "EPA" means the U.S. Environmental Protection Agency.
- (9) "Ephemeral stream" means a stream or part of a stream which flows only in direct response to precipitation in the immediate watershed or in response to the melting of a cover of snow and ice and whose channel bottom is always above the local water table.
- (10) "Existing use" means a use actually attained in the water body on or after November 28, 1975, whether or not it is a designated use and included in water quality standards.
- (11) "Geometric mean" means the value obtained by taking the n th root of the product of the measured values where zero values for measured values are taken to be the detection limit.
- (12) "Intermittent stream" means a stream or reach of a stream that is below the local water table for at least some part of the year, and obtains its flow from both surface runoff and ground water discharge.

- (13) "Naturally occurring" means the range, mean, mode and other appropriate descriptors of seasonal water quality in Reservation waters occurs at levels over which humans have no control or material derived from runoff or percolation over developed land occurs where all reasonable and cost-effective best management practices have been applied.
- (14) "Outstanding National Resource Waters (ONRW)" means waters that because of their quality, location and significance constitute an outstanding National resource.
- (15) "Outstanding Tribal Resource Waters (OTRW)" means all Reservation groundwaters, surface waters and wetlands.
- (16) "Person" means an individual, association, partnership, corporation, commercial or professional establishment, firm, agency, or any agent or employee thereof.
- (17) "Pesticide" means any insecticide, herbicide, rodenticide, fungicide or any substance or mixture of substances intended for preventing, destroying, repelling, altering life processes, or controlling insects, rodents, nematodes, fungi, weeds and other undesirable forms of plant and animal life.

- (18) "Pollutant" means dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, or any industrial, municipal, and agricultural wastes discharged into water.
- (19) "Sediment" means solid material settled from suspension in a liquid; mineral or organic solid material that is being transported or has been moved from its site of origin by air, water or ice and has come to rest on the earth's surface, either above or below sea level; or inorganic or organic particles originating from weathering, chemical precipitation or biological activity.
- (20) "Settleable solids" means inorganic or organic particles that are being transported or have been transported by water from the site or sites of origin and are settled or are capable of being settled from suspension.
- (21) "Surface waters" means any waters on the surface of the Reservation, including but not limited to streams (permanent, intermittent, and ephemeral), lakes, ponds, wetlands, reservoirs, and irrigation and drainage systems discharging to a stream, lake, pond, wetland,

reservoir or other surface water. Treatment works used solely for treating, transporting or impounding pollutants are not considered surface water.

- (22) "Toxic substances" means EPA's most recent published list of priority pollutants in EPA Region VIII 1993 CWA 304 (a) Criteria Chart and any concentrations or combinations of materials which are toxic or harmful to human, animal, plant or aquatic life.
- (23) "Tribal Criteria Chart Levels" means the levels and concentrations for priority toxic and other pollutants. This chart adopts the EPA Region VIII 1993 Updates to CWA 304 (a) Criteria Chart for priority toxic and other pollutants. Criteria are based on the 1993 updated risk levels (1/1,000,000) to protect human health. Levels may not be exceeded more than once in a 3 year period. Levels are used throughout this Part to determine the maximum allowable concentrations of toxic or deleterious substances. Metals are analyzed based upon total recoverable analytical methods.
- (25) "True color" means the color of water from which turbidity has been removed.

- (26) "Turbidity" means a condition in water or wastewater caused by the presence of suspended matter resulting in the scattering and absorption of light rays.
- (27) "Use Attainability Analysis" means an assessment of the physical, chemical, biological, and economic factors which affect the attainment of an existing or designated use. A use attainability analysis consists of a waterbody survey and assessment, a wasteload allocation, and economic analysis, if appropriate. UAA's may be used to determine whether or not a use could be attained were it not for natural or anthropogenic conditions that are not reparable within 20 years.

Section 1.3.4 Classifications.

- (1) Water quality segments specified in sections 1.3.5 - 1.3.12 include all elements referred to in the definition of surface water. Standards and criteria must be met within each stream reach specified in each classification. Discharges occurring upstream or downstream of a reach specified in a classification may not exceed maximum levels and concentrations allowed for the receiving reach to the extent that such discharges are subject to regulation. Downstream toxicity tests may be indicated if the fate and transport of dissolved and/or particulate pollutants negatively impact downstream water quality.

- (2) The Department recognizes that the natural water quality of wetlands may differ from that of associated streams. Existing water quality, functions and values of wetlands will be protected.

Section 1.3.5 A-Closed Classification

A. The following Reservation waters are classified A-Closed:

- (1) Hellroaring Creek drainage upstream of the Polson water supply intake.
- (2) Middle Crow Creek drainage to the Ronan water supply intake.

B. Designated Uses:

Waters classified A-Closed are suitable for drinking, culinary, and food processing purposes after simple disinfection. Water quality is suitable for swimming, bathing, recreation, growth, and propagation of fish and associated aquatic life, although access restrictions to protect public health may limit actual use of A-Closed waters for these uses.

C. Standards:

No person may exceed the following specific water quality standards for water classified A-Closed:

- (1) The geometric mean number of organisms in the coliform group must not exceed 50 per 100 milliliters.
- (2) No change from naturally occurring dissolved oxygen concentrations is allowed.
- (3) No change from naturally occurring pH is allowed.
- (4) No increase above naturally occurring turbidity is allowed.
- (5) No increase above naturally occurring water temperature is allowed.
- (6) No increases are allowed above naturally occurring concentrations of sediment, contaminated sediment, settleable solids, oils, or floating solids, which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, fish or wildlife.
- (7) No increase in true color is allowed.

- (8) For waters classified A-closed, no increases of toxic or other deleterious substances, pesticides and organic and inorganic materials including heavy metals, above natural concentrations, are allowed.
- (9) No increase in radioactivity above natural background levels is allowed.

Section 1.3.6 A-1 Classification.

A. The following Reservation waters are classified A-1:

- (1) All streams and lakes within the boundaries of the Tribal Mission Mountain Wilderness except Middle Crow Creek drainage to the Ronan water supply intake.
- (2) South Fork Jocko River and its tributaries within the South Fork Primitive Area.
- (3) That portion of Flathead Lake within the Flathead Indian Reservation and all streams within the Reservation that are tributary to Flathead Lake except tributaries in the Hellroaring Creek drainage.
- (4) Mission Creek drainage from the Tribal Mission Mountain Wilderness boundary to the St. Ignatius water supply intake.

B Designated Uses:

Waters classified A-1 are suitable for drinking, culinary and food processing purposes after conventional treatment for removal of naturally present impurities. Water quality must be suitable for bathing, swimming and recreation; growth and propagation of salmonid fishes and associated aquatic life, waterfowl and furbearers; as well as agricultural and industrial water supply.

C. Standards:

No person may exceed the following specific water quality standards for water classified A-1:

- (1) The geometric mean number of organisms in the coliform group must not exceed 50 per 100 milliliters.
- (2) Dissolved oxygen concentration must not be reduced below levels given in Tribal Criteria Chart.
- (3) Induced variation of hydrogen ion concentration (pH) within the range of 6.5 to 8.5 must be less than 0.5 pH unit.
Natural pH outside this range must be maintained without change.

Natural pH above 7.0 must be maintained above 7.0.

- (4) No increase above naturally occurring turbidity is allowed.

- (5) Where naturally occurring water temperatures are in the range of 32° F - 66° F, a 1° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are in the range of 66° F - 66.5° F, a 0.5° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are > 66.5° F, a 0.52° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are 55° F, a 2° F maximum decrease is allowed.

Where naturally occurring water temperatures are within the range of 32° F - 55° F, a 2° F maximum decrease is allowed.

- (6) No increases are allowed above naturally occurring concentrations of sediment, contaminated sediment, settleable solids, oils, or floating solids, which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health,

recreation, safety, welfare, livestock, fish or wildlife.

- (7) True color must not be increased more than two units above naturally occurring color.
- (8) For waters classified A-1, concentrations of toxic or deleterious substances which would remain in the water after conventional water treatment may not exceed the maximum contaminant levels set forth in the U.S. EPA National Primary Drinking Water Regulations (40 CFR Part 141) or the U.S. EPA National Secondary Drinking Water Regulations (40 CFR Part 143). Concentrations of toxic or deleterious substances also may not exceed Gold Book Levels and the Tribal Criteria Chart.

Section 1.3.7 B-1 Classification:

A. The following Reservation waters are classified B-1:

- (1) Hellroaring Creek drainage downstream of the Polson water supply intake.
- (2) Flathead River and its tributaries, downstream of the highway bridge at Polson except the following tributaries:

- (a) All streams and lakes within the boundaries of the Tribal Mission Mountain Wilderness located to the south of Middle Crow Creek.
 - (b) Middle Crow Creek drainage to the Ronan water supply intake.
 - (c) Crow Creek (mainstem) from the road crossing in Section 16, T20N, R20W, P.M.M. to the Flathead River, including Lower Crow Reservoir.
 - (d) Little Bitterroot River (mainstem) from the Reservation boundary to the Flathead River.
 - (e) Mission Creek drainage from the Tribal Mission Mountain Wilderness boundary to the St. Ignatius water supply intake.
 - (f) Mission Creek (mainstem) from U.S. Highway 93 crossing to the Flathead River.
 - (g) South Fork Jocko River and its tributaries within the South Fork Primitive Area upstream of section 36, T17N, R18W, P.M.M.
 - (h) Hot Springs Creek (mainstem) from the former Hot Springs water supply intake to the Little Bitterroot River.
- (3) Tributaries to Hot Springs Creek, from the former Hot Springs water supply intake to the Little Bitterroot River.

B. Designated Uses:

Waters classified B-1 are suitable for drinking, culinary and food processing purposes, after conventional treatment; bathing, swimming and recreation; growth and propagation of salmonid fishes and associated aquatic life, waterfowl and furbearers as well as agricultural and industrial water supply.

C. Standards:

No person may exceed the following specific water quality standards for waters classified B-1:

- (1) The geometric mean number of organisms in the fecal coliform group must not exceed 200 per 100 milliliters, nor are 10 percent of the total samples during any 30-day period to exceed 400 fecal coliforms per 100 milliliters.
- (2) Dissolved oxygen concentration must not be reduced below levels set forth in the Tribal Standards Chart.
- (3) Induced variation of hydrogen ion concentration (pH) within the range of 6.5 to 8.5 must be less than 0.5 pH unit. Natural pH outside this range must be maintained without change. Natural pH above 7.0 must be maintained above 7.0.

- (4) The maximum allowable increase above naturally occurring turbidity is 5 nephelometric turbidity units.
- (5) Where naturally occurring water temperatures are in the range of 32° F - 66° F, a 1° F maximum temperature increase is allowed.
- Where naturally water temperatures are in the range of 66° F - 66.5° F, a 0.5° F maximum temperature increase is allowed.
- Where naturally occurring water temperatures are $> 66.5^{\circ}$ F, a 0.5° F maximum temperature increase is allowed.
- Where naturally occurring water temperatures are $> 55^{\circ}$ F, a 2° F maximum decrease is allowed.
- Where natural water temperatures are within the range of 32° F - 55° F, a 2° F maximum decrease is allowed.
- (6) No increases are allowed above natural concentrations of sediment, contaminated sediment, settleable solids, oils, or floating solids, which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, fish, or other wildlife.

- (7) True color must not be increased more than five units above naturally occurring color.
- (8) For waters classified B-1, concentrations of toxic or deleterious substances which would remain in the water after conventional water treatment may not exceed the maximum contaminant levels set forth in the U.S. EPA National Primary Drinking Water Regulations (40 CFR Part 141), the Tribal Criteria Chart and the U.S. EPA National Secondary Drinking Water Regulations (40 CFR Part 143). Concentrations of toxic or deleterious substances also may not exceed Gold Book Levels.

Section 1.3.8 B-2 Classification:

A. The following Reservation waters are classified B-2:

- (1) Crow Creek (mainstem) from the road crossing in section 16, T20N, R20W, P.M.M. to the Flathead River, including Lower Crow Reservoir.
- (2) Little Bitterroot River (mainstem) from the Reservation boundary to the Flathead River.
- (3) Mission Creek (mainstem) from the U.S. Highway 93 crossing to the Flathead River.

B. Designated Uses:

Waters classified B-2 are suitable for drinking, culinary and food processing purposes, after conventional treatment; bathing, swimming and recreation; growth and marginal propagation of salmonid fishes and associated aquatic life, waterfowl and furbearers; as well as agricultural and industrial water supply.

C. Standards:

No person may exceed the following specific water quality standards for waters classified B-2:

- (1) The geometric mean number of organisms in the fecal coliform group must not exceed 200 per 100 milliliters, nor are 10 percent of the total samples during any 30-day period to exceed 400 fecal coliforms per 100 milliliters.
- (2) Dissolved oxygen concentration must not be reduced below the levels given in the Tribal Criteria Chart.
- (3) Induced variation of hydrogen ion concentration (pH) within the range of 6.5 to 9.0 must be less than 0.5 pH unit. Natural pH outside this range must be maintained without change. Natural pH above 7.0 must be maintained above 7.0.
- (4) The maximum allowable increase above naturally occurring turbidity is 10 nephelometric turbidity units.

- (5) Where naturally occurring water temperatures are in the range of 32° F - 66° F , a 1° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are in the range of 66° F - 66.5° F , a 0.5° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are 66.5° F , a 0.5° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are 55° F , a 2° F maximum decrease is allowed.

Where naturally occurring water temperatures are within the range of 32° F - 55° F , a 2° F maximum decrease is allowed.

- (6) No increases are allowed above naturally occurring concentrations of sediment, contaminated sediment, settleable solids, oils, or floating solids, which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, fish or wildlife.

- (7) True color must not be increased more than five units above natural color.

- (8) For waters classified B-2, concentrations of toxic or deleterious substances which would remain in the water after conventional water treatment may not exceed the maximum contaminant levels set forth in the U.S. EPA National Primary Drinking Water Regulations (40 CFR Part 141), the Tribal Criteria Chart or the U.S. EPA National Secondary Drinking Water Regulations (40 CFR Part 143). Concentrations of toxic or deleterious substances also may not exceed Gold Book Levels.

Section 1.3.9 B-3 Classification:

- A. There are no Reservation surface waters presently classified B-3.

B. Designated Uses:

Waters classified B-3 are suitable for drinking, culinary and food processing purposes, after conventional treatment; bathing, swimming and recreation; growth and propagation of non-salmonid fishes and associated aquatic life, waterfowl, furbearers; as well as agricultural and industrial water supply.

C. Standards:

No person may exceed the following specific water quality standards for waters classified B-3:

- (1) The geometric mean number of organisms in the fecal coliform group must not exceed 200 per 100 milliliters, nor are 10 percent of the total samples during any 30-day period to exceed 400 fecal coliforms per 100 milliliters.
- (2) Dissolved oxygen concentration must not be reduced below the levels given in the Tribal Criteria Chart.
- (3) Induced variation of hydrogen ion concentration (pH) within the range of 6.5 to 9.0 must be less than 0.5 pH unit. Natural pH outside this range must be maintained without change. Natural pH above 7.0 must be maintained above 7.0.
- (4) The maximum allowable increase above naturally occurring turbidity is 10 nephelometric turbidity units.
- (5) Where naturally occurring water temperatures are in the range of 32^o F - 66^o F, a 1^o F maximum temperature increase is allowed.

Where naturally occurring water temperatures are in the range of 66° F - 66.5° F , a 0.5° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are $> 66.5^{\circ}\text{ F}$, a 0.5° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are $> 55^{\circ}\text{ F}$, a 2° F maximum decrease is allowed.

Where naturally occurring water temperatures are within the range of 32° F - 55° F , a 2° F maximum decrease is allowed.

- (6) No increases are allowed above natural concentrations of sediment, contaminated sediment, settleable solids, oils, or floating solids which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, fish or wildlife.
- (7) True color must not be increased more than five units above natural color.
- (8) For waters classified B-3, concentrations of toxic or deleterious substances which would remain in the water after conventional water treatment may not exceed the maximum contaminant levels set forth in

the U.S. EPA National Primary Drinking Water Regulations (40 CFR Part 141) the Tribal Criteria Chart and the U.S. EPA National Secondary Drinking Water Regulations (40 CFR Part 143). Concentrations of toxic or deleterious substances also may not exceed Gold Book Levels.

Section 1.3.10 C-1 Classification:

A. There are no Reservation surface waters presently classified C-1.

B. Designated Uses:

Waters classified C-1 are suitable for bathing, swimming and recreation; growth and propagation of salmonid fishes and associated aquatic life, waterfowl, and furbearers; as well as agricultural and industrial water supply.

C. Standards:

No person may exceed the following specific water quality standards for waters classified C-1:

- (1) The geometric mean number of organisms in the fecal coliform group must not exceed 200 per 100 milliliters, nor are 10 percent of the total samples during any 30-day period to exceed 400 fecal coliforms per 100 milliliters.

- (2) Dissolved oxygen concentration must not be reduced below levels given in the Tribal Criteria Chart.
- (3) Induced variation of hydrogen ion concentration (pH) within the range of 6.5 to 8.5 must be less than 0.5 pH unit. Natural pH outside this range must be maintained without change. Natural pH above 7.0 must be maintained above 7.0.
- (4) The maximum allowable increase above naturally occurring turbidity is 5 nephelometric turbidity units.
- (5) Where naturally occurring water temperatures are in the range of 32° F - 66° F , a 1° F maximum temperature increase is allowed.
- Where naturally occurring water temperatures are in the range of 66° F - 66.5° F , a 0.5° F maximum temperature increase is allowed.
- Where naturally occurring water temperatures are $> 66.5^{\circ}\text{ F}$, a 0.5° F maximum temperature increase is allowed.
- Where naturally occurring water temperatures are $> 55^{\circ}\text{ F}$, a 2° F maximum decrease is allowed.
- Where naturally occurring water temperatures are within the range of 32° F - 55° F , a 2° F maximum decrease is allowed.

- (6) No increases are allowed above naturally occurring concentrations of sediment, contaminated sediment, settleable solids, oils, or floating solids which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, fish or wildlife.
- (7) True color must not be increased more than five units above naturally occurring color.
- (8) For waters classified C-1, concentrations of toxic or deleterious substances may not exceed levels which render the waters harmful, detrimental, or injurious to public health. Concentrations of toxic or deleterious substances also may not exceed the maximum levels set forth in the Tribal Criteria Chart or Gold Book levels.

Section 1.3.11 C-2 Classification:

A. There are no Reservation surface waters presently classified C-2.

B. Designated Uses:

Waters classified C-2 are suitable for bathing, swimming and recreation; growth and propagation of non-salmonid

fishes and associated aquatic life, waterfowl, and furbearers, as well as agricultural and industrial water supply. The quality of these waters is naturally marginal for drinking, culinary and food processing purposes, agriculture and industrial water supply. Degradation which will impact existing uses will not be allowed.

C. Standards:

No person may exceed the following specific water quality standards for waters classified C-2:

- (1) The geometric mean number of organisms in the fecal coliform group must not exceed 200 per 100 milliliters, nor are 10 percent of the total samples during any 30-day period to exceed 400 fecal coliforms per 100 milliliters.
- (2) Dissolved oxygen concentration may not be reduced below levels given in the Tribal Criteria Chart.
- (3) Induced variation of hydrogen ion concentration (pH) within the range of 6.5 to 9.0 must be less than 0.5 pH unit. Natural pH outside this range must be maintained without change. Natural pH above 7.0 must be maintained above 7.0.

(4) The maximum allowable increase above naturally occurring turbidity is 10 nephelometric turbidity units.

(5) Where naturally occurring water temperatures are in the range of 32° F - 66° F , a 1° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are in the range of 66° F - 66.5° F , a 0.5° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are $> 66.5^{\circ}\text{ F}$, a 0.5° F maximum temperature increase is allowed.

Where naturally occurring water temperatures are $> 55^{\circ}\text{ F}$, a 2° F maximum decrease is allowed.

Where naturally occurring water temperatures are within the range of 32° F - 55° F , a 2° F maximum decrease is allowed.

(6) No increases are allowed above natural concentrations of sediment, contaminated sediment, settleable solids, oils, or floating solids which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, or fish wildlife.

- (7) True color must not be increased more than five units above naturally occurring color.

- (8) Concentrations of toxic or deleterious substances may not exceed levels which render the waters harmful, detrimental or injurious to public health.
Concentrations of toxic or deleterious substances also may not exceed maximum levels given in the Tribal Criteria Chart.

Section 1.3.12 C-3 Classification:

A. The following Reservation waters are classified C-3:

- (1) Hot Springs Creek (mainstem) from the Hot Springs water supply intake to the Little Bitterroot River.

B. Designated Uses:

Waters classified C-3 are suitable for bathing, swimming and recreation; marginal growth and propagation of non-salmonid fishes and associated aquatic life, waterfowl, furbearers; as well as agricultural and industrial water supply.

C. Standards:

No person may exceed the following specific water quality standards for waters classified C-3:

- (1) The geometric mean number of organisms in the fecal coliform group must not exceed 200 per 100 milliliters, nor are 10 percent of the total samples during any 30-day period to exceed 400 fecal coliforms per 100 milliliters.
- (2) Dissolved oxygen concentration must not be reduced below levels given in the Tribal Criteria Chart.

- (3) Induced variation of hydrogen ion concentration (pH) within the range of 6.5 to 9.0 must be less than 0.5 pH unit. Natural pH outside this range must be maintained without change. Natural pH above 7.0 must be maintained above 7.0.
- (4) The maximum allowable increase above naturally occurring turbidity is 10 nephelometric turbidity units.
- (5) Where naturally occurring water temperatures are within the range of 32° F to 77° F, a 3° F maximum water temperature increase is allowed.
- Where naturally occurring water temperatures are within the range of 77° F to 79.5° F, a 0.5° F maximum water temperature increase is allowed.
- Where the naturally occurring water temperature is 79.5° F or greater, the maximum allowable increase in water temperature is 0.5° F.
- When the water temperature is > 55° F, a 2° F per hour maximum decrease is allowed.
- Where naturally occurring water temperatures are within the range of 55° F to 32° F a 2° F-per-hour maximum decrease below naturally occurring water temperature is allowed.

- (6) No increases are allowed above naturally occurring concentrations of sediment, contaminated sediment, settleable solids, oils, or floating solids, which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, or fish wildlife.
- (7) True color must not be increased more than five units above naturally occurring color.
- (8) For waters classified C-3, concentrations of toxic or deleterious substances may not exceed levels which render the waters harmful, detrimental, or injurious to public health and exceed maximum levels given in the Tribal Criteria Chart and Gold Book levels.

Section 1.3.13 General Requirements and Limitations.

- (1) Reservation surface waters must be free from substances which are or may become injurious to public health, safety, welfare, or any of the designated or existing beneficial uses. Such substances may or will:
 - (a) Settle to form objectionable sludge deposits or emulsions beneath the surface of the water or upon adjoining shorelines;
 - (b) Create floating debris, scum, a visible oil film (or be present in concentrations at or in excess of 10 milligrams per liter) or globules of grease or other floating materials;
 - (c) Produce odors, colors or other conditions which create a nuisance or render undesirable tastes to fish flesh or make fish inedible;
 - (d) Create concentrations or combinations of materials which are toxic or harmful to human, animal, plant or aquatic life except for pesticide application as described in Section 1.3.13 (4); and
 - (e) Create conditions which produce undesirable aquatic life.
- (2) No pollutants may be discharged which, either alone or in combination with other pollutants, will cause exceedances of surface water quality standards or criteria.

- (3) Leaching pads, tailing ponds, or water, waste, or product holding facilities utilized in the processing of ore must be located, constructed, operated and maintained in such a manner and be constructed of materials which prevent the discharge, seepage, drainage, infiltration, or flow which cause, threaten or allow pollution of surface waters. The Department may require that a monitoring system be installed and operated if the Department determines that pollutants may reach surface waters or present a substantial risk to public health.
- (a) Complete plans and specifications for proposed leaching pads, tailing ponds, or water, waste, or product holding facilities must be submitted to the Department no less than 60 days prior to the proposed commencement of construction. Prior to commencement of construction, written Departmental approval must be obtained.
- (b) Leaching pads, tailing ponds, or water, waste, or product holding facilities operating as of the effective date of this rule must be operated and maintained in such a manner so as to prevent the discharge, seepage, drainage, infiltration or flow which causes, threatens or allows the pollution of surface waters.
- (4) Application of pesticides in or adjacent to Reservation surface waters must be in strict compliance with the

labeled directions for use of the pesticide and other relevant requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and other Federal or Tribal laws which apply. Pesticide application must not impact the structure or function of indigenous or intentionally introduced aquatic and wildlife communities.

- (5) No pollutants may be discharged which, either alone or in combination with other pollutants, will result in total dissolved gas pressure relative to the water surface exceeding 110 percent of saturation.
- (6) On all public water supply watersheds, detailed plans and specifications for the construction and operation of roads will be submitted to the Department for its written approval no less than 60 days prior to the day on which it is desired to commence road construction. Such approval must be obtained in writing prior to commencement of such construction.

Section 1.3.14 Sampling Methods.

- (1) Methods of sample collection, preservation and analysis used to determine compliance with the applicable water quality standards will comply with the latest edition of Standard Methods for the Examination of Water and Wastewater published by the American Public Health Association or be in accordance with tests or procedures that have been found to be equivalent or more applicable by the EPA as set forth in 40 C.F.R. 141.23, 40 C.F.R. 136 or other official EPA guidance.
- (2) Standards for organisms of the coliform group are based on a minimum of five samples obtained during separate 24-hour periods during any consecutive 30-day period analyzed by the most probable number or equivalent membrane filter methods or in accordance with tests or analytical procedures that are found to be equivalent or more applicable by the EPA.
- (3) Bioassay tolerance concentrations must be determined using the latest available research results for the materials, by using bioassay test procedures for simulating actual stream conditions as set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater published by the American Public Health Association, ASTM Standards Part 31, or in accordance with tests or analytical procedures that are found to be equivalent or more applicable by the

EPA. Any bioassay studies must be made using a representative sensitive local species at life stages of economic or ecological importance. However, other species whose relative sensitivity is known may be used when there is difficulty in providing the more sensitive species in sufficient numbers or when such species are unsatisfactory for routine confined bioassays. All bioassay methods and species selections must be approved by the Department.

Section 1.3.15 Biological Standards.

It is the goal of the Tribal Council that all surface waters of the Reservation shall be free from substances in concentrations or combinations which will adversely impact the structure or function of indigenous or intentionally introduced aquatic and wildlife communities. No person may cause the introduction of such substances to surface waters, whether via point source or non-point source.

Section 1.3.16 Radiological Standards.

No person may cause radioactive materials to be present in surface waters in excess of natural quantities.

Part IV. ANTIDegradation Policy

Section 1.4.1 Antidegradation Policy

The Tribal antidegradation policy is set out in Ordinance 89-B, Section 1-2-206, which is incorporated herein by reference.

Section 1.4.2 Tiered Classifications of Reservation Surface Waters

- (1) Antidegradation implementation methods include the following requirements for all Reservation surface waters as described below:
 - a. Tier 1 waters. Existing instream uses and a level of water quality necessary to fully protect existing instream uses shall be maintained and protected for Tier 1 waters. All Reservation waters must meet Tier 1 water quality requirements.
 - b. Tier 2 waters. Where the quality of the waters exceeds levels necessary to support propagation of fish and wildlife and recreation in and on the water, that quality shall be maintained and protected unless the Department recommends and the Council finds, after compliance with the intergovernmental coordination and public participation provisions of the continuing planning process set out in Ordinance 89-B, Section 1-2-402, that allowing lower water

quality is necessary to accommodate important economic or social development in the area in which Tier 2 waters are located. In allowing any degradation or lower water quality, the Department and the Council shall assure water quality adequate to protect existing uses fully, assure the highest requirements for all new and existing point sources and require all cost-effective and reasonable best management practices for point source and nonpoint source pollution control.

- c. Tier 3 waters. Where high quality waters constitute an outstanding National resource, such as waters of ecological, recreational, or cultural significance, that water quality shall be maintained and protected for Tier 3 waters.

The following are Tier 3 waters:

- (i) All waters located within Tribally designated primitive or wilderness areas.

Section 1.4.3 Applicability & Limitations of Antidegradation.

- (1) The requirements of this Part apply to any human activity degrading or potentially degrading a water body or segment thereof.
- (2) Existing instream uses and a level of water quality necessary to protect those uses will be protected and maintained.
- (3) If the Department or Council determine, based on important economic or social development, that degradation may be allowed, in no event may degradation of Reservation waters interfere with or become harmful, detrimental or injurious to public health or welfare, recreation, safety, cultural, or spiritual values, fish and wildlife uses, livestock uses, or other existing uses. In allowing such degradation to lower water quality, the Department shall assure water quality adequate to protect existing uses fully and shall assure that the most stringent enforceable requirements will be applied to all new and existing point sources and that all cost-effective and reasonable best management practices for nonpoint source control will be achieved.
- (4) Degradation of Outstanding National Resource Waters is prohibited.

Section 1.4.4 Antidegradation Review Process. (Reserved)

(Note: Implementation procedures for the Antidegradation Review Process are currently in preparation. The Department's antidegradation review process is expected to follow EPA Region VIII's most recent official guidance.

Section 1.4.5 Use Attainability Analysis (Reserved)

(Note: Implementation procedures for Use Attainability Analysis are currently in preparation. The Department may recommend changes in designated uses in conformity with the requirements of Ordinance 89-B, Section 1-2-201 through 1-2-210, and the Tribal Administrative Procedures Ordinance 86 B. These changes in use may only be made in cases where beneficial uses cannot be attained. Where such changes are sought by any person, a Use Attainability Analysis will be required to show that current designated uses are not achievable.)

Section 1.4.6 Antidegradation Implementation (Reserved)

(Note: Implementation procedures for Tier 1, Tier 2, and Tier 3 waters are currently in preparation. Implementation procedures are expected to follow EPA Region VIII most recent official guidance.

Section 1.4.7 Critical Condition Identification Procedures

(Reserved)

(Note: This section is currently in preparation. Procedures are expected to follow the Waste Load Allocation Procedures presently being reviewed by EPA for use in Region VIII.)

PART V MIXING ZONE POLICY

(RESERVED)

Section 1.5.1 Mixing Zone Policy (Reserved)

(Note: A mixing zone policy is currently in preparation. Development of the policy and implementation procedures are expected to follow EPA Region VIII Policy Statement: Mixing Zone and Dilution Policies and Procedures as well as other accepted EPA guidance documents).

Section 1.5.2 Narrative Toxics Standards (Reserved)

(Note: Narrative toxics standards will be developed as part of the mixing zone policy and are currently in preparation. Procedures will address various mechanisms used to implement water quality-based controls (chemical-specific, and biological standards components), as well as how these mechanisms will be integrated to protect designated uses. Implementation is expected to follow EPA guidance documents and 40 CFR § 131.11 (a)(2)).

PART VI. COMPLIANCE WITH STANDARDS

Section 1.6.1 Investigation of Reported or Suspected Non-Compliance.

The Department will forthwith investigate compliance with the standards and criteria for surface water quality and other provisions contained in these rules whenever it:

- (1) receives notice of a suspected exceedance or the written request of any person to investigate and take action upon any suspected violation of any requirement hereunder;
- (2) possesses reliable information, as a result of Department sampling or otherwise, giving the Department reason to believe that an exceedance of these standards or criteria has occurred or that a water body or segment thereof has been, or may be, degraded.

Section 1.6.2 Preliminary Findings.

- (1) If the preliminary findings of an investigation of water quality conditions or threats thereto show that a condition exists which indicates a clear and present danger to human health or to the livelihood of Reservation residents, the procedures set out in Section 1-2-104 of the Water Quality Management Ordinance 89-B,

will be followed. In all other instances, applicable procedures set out herein and in Water Quality Management Ordinance 89-B shall be followed by the Department to address the particular situation.

- (2) Whenever preliminary findings indicate that an existing use of a water body or segment thereof is impaired or endangered, the Department will, to the extent practicable, notify each affected user of the impairment or endangerment and of any recommended means to address the situation. The Department will promptly cause a notice of the scope and severity of the impairment, together with any recommended mitigation, to be published or broadcast, or both, by local media with wide access to the Reservation public.

Section 1.6.3 Investigation Report and Recommendations.

In addition to any preliminary findings made and action taken pursuant to these rules, a report of an investigation of an alleged or suspected exceedance of a standard or violation of a requirement of these rules will be submitted promptly by the Environmental Protection Division of the Department to the Head of the Department. Such report shall include, without limitation:

- (1) any physical, chemical, biological, radiological, or thermal evidence of alleged or suspected pollution or exceedance;

- (2) if the pollution or exceedance appears to have occurred, a description of its nature, scope, and estimated duration;
- (3) the apparent or possible cause or causes of the pollution or exceedance, including, if the cause is a short-term activity eligible for exemption hereunder, whether such an exemption has been requested and what the disposition of the request has been
- (4) the effect, if any, that the alleged or suspected pollution or exceedance has had or may have on existing uses and designated uses of the water body or segment thereof, and
- (5) recommendations for compliance measures, if any, to be undertaken by the Department and for any further investigation.

Section 1.6.4 Compliance Order -- Civil Action --Exemption.

- (1) The Department may cause a compliance order to be served, either personally or by certified mail, upon the responsible party for each point source of such unpermitted discharge, as provided in Water Quality Management Ordinance 89-B Section 1-3-21 if it has reason to believe, based upon reliable information:
 - (a) that a violation or exceedance of a standard, criteria or other limitation, or a violation of a requirement of these rules has occurred; and

- (b) that the violation or exceedance is caused by an unpermitted discharge of pollutants from one or more point sources.
- (2) A compliance order will specify the condition, limitation or standard or criteria exceeded, or other requirement violated, and set a reasonable time for compliance, taking into account the seriousness of the violation and any good faith efforts that have been made to comply with the condition, limitation, standard, criteria or requirement believed to be violated.
- (3) A compliance order is a final Departmental decision that may be appealed as a contested case under the Tribal Administrative Procedures Ordinance. Nothing in this section is intended to limit the Department's ability to commence judicial enforcement proceedings as provided in Water Quality Management Ordinance (89-B).
- (4) If the responsible party refuses or fails to comply with the schedule of compliance set out in the compliance order, the Department may commence a civil action against such operator for appropriate relief. Such relief may include injunctive relief not to exceed \$10,000 a day for each parameter violated and for each day of noncompliance as provided in Section 1-3-212 of Water Quality Management Ordinance 89-B. The Department may also seek costs of any pollution reduction or other measures undertaken by the Department to address environmental damages, including loss of cultural values

associated with natural resources injured by the violation, and the Department's investigative and enforcement costs.

- (5) Subsection (1) of this Rule may not be applied by the Department, after due consideration if the activity producing the discharge is a one-time, non-repetitious event or an operation of short duration, or for other good cause shown.

PART VII. COMPLIANCE PROCEDURES, REQUIREMENTS, AND ORDERS

Section 1.7.1 Purpose.

The purpose of this regulation is to establish procedures for compliance with the regulatory and other enforcement provisions of Water Quality Management Ordinance 89-B. To the extent that such provisions require recognition by the U.S. Environmental Protection Agency (EPA) of conformity with Section 402 of the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES), the regulatory provisions for implementation are presently reserved. It is recognized that until such time as Tribal authority to implement the NPDES program within the exterior boundaries of the Reservation is acknowledged, the EPA retains sole authority for program implementation within the exterior boundaries of the Reservation.

Section 1.7.2 Definitions.

The definitions of terms found in the Water Quality Management Ordinance 89-B and in the Clean Water Act and its implementing regulations shall be applied to this Part. To the extent that any ambiguity exists, the ordinary and plain meaning of any such term shall be applied.

Section 1.7.3 Notice of Unpermitted Discharge by Department.

- (1) Upon receiving notice or other reliable information of an unpermitted discharge or actual or threatened release of any substance threatening Reservation waters or residents, the Department shall follow the procedures and conditions for notification contained in these regulations and, where applicable, the Tribal Emergency Response Plan.
- (2) When public health or safety appear to be threatened, the Department shall cause affected water users to be so notified and advised of measures to minimize or avoid the threat. The Department may assess the costs of such notification to the responsible party.

Section 2.7.4 Required Notice to Department of Release or Unpermitted Discharge.

- (1) Any person whose activities result in a discharge or release of pollutants or other substances which cause, threaten or allow pollution of Reservation surface waters is required to promptly notify the Department of such release or discharge in sufficient detail to allow the Department to take timely and appropriate action.
- (2) Two notices to the Department are required:
 - (a) An immediate notice as soon as the person or his/her agent or employee whose activities threaten Reservation surface waters or have resulted in a release or unpermitted discharge has knowledge thereof, and

- (b) Within three (3) calendar days of the immediate notice, a subsequent written notice setting forth the best estimate of quantity, nature, duration and extent of the release or threatened discharge of pollutants.

Section 1.7.5 Immediate Notice Of Unpermitted Discharge - How Given by Responsible Party.

- (1) Immediate notice may be given as follows:
 - (a) Between the hours of 8 a.m. and 4:30 p.m. on a weekday that is not a Tribal holiday, notice may be given to a responsible employee of the Environmental Division of the Department by the timeliest of the following methods:
 - (i) verbally, by telephone. Phone: (406) 675-2700.
 - (ii) verbally, in person at the Tribal Complex at Pablo, Montana; or
 - (iii) in writing, by telefax. FAX: (406) 675-2806.
 - (b) At all other times, notice may be telephoned to the dispatcher of the Tribal Law Enforcement Department. Phone: (406) 675-2700.

Section 1.7.6 Contents of Immediate Notice of Unpermitted Discharge or Release.

- (1) The Department will provide a form for the recording of verbal immediate notice by the Environmental Division employees and the Tribal police dispatcher.
- (2) Information to be provided by immediate notice will include:
 - (a) the name, business address, and telephone number of the individual reporting the threatened release or discharge;
 - (b) the address and telephone number of the place from which the notice is given;
 - (c) whether the notifying individual is the person whose activities resulted in the threatened release or discharge or an agent or employee of such person;
 - (d) if the notifying individual is an agent or employee, the name, address, and telephone number of either:
 - (i) the nearest office of the person whose activities resulted in the threatened release or unpermitted discharge, or
 - (ii) the notifying individual's supervisor;
 - (e) the date, time and place of the threatened release or discharge and any immediately apparent personal injury, property damage, or threat to human health arising from the event that produced the threatened release or discharge;
 - (f) an initial estimate of the nature and quantity of substances released or discharged and any known

toxic, hazardous, or deleterious potential of the substances;

- (g) whether and which other agencies or emergency services have been or will be notified by the notifying individual; and
- (h) whether the person whose activities resulted in the threatened release or discharge is known to be mobilizing for cleanup operations.
- (i) other pertinent information which will help the Department respond to the spill.

Section 1.7.7 Contents of Subsequent Written Notice of
Unpermitted Discharge or Release.

Subsequent written notice to the Department signed by the person, or authorized representative thereof, whose activities resulted in the threatened release or discharge shall include:

- (1) any necessary correction of, or addition to, the information provided in the immediate notice;
- (2) the name, address, and telephone number of any agent or employee of the person whose activities resulted in the threatened release or discharge who is authorized by said person to communicate with the Department in matters associated with the event, and, if different, the same identifying information with respect to any officer or agent authorized by law to accept service of

- process on behalf of the person whose activities resulted in the threatened release or discharge;
- (3) an initial assessment of the probable water quality and other social or environmental consequences of the threatened release or discharge, including any predictable effect on existing water uses;
 - (4) a description of measures undertaken, planned, or proposed to be undertaken by the person whose activities resulted in the threatened release or discharge to cleanup, prevent, and fully address adverse effects on water quality, including an identification of equipment and manpower to be utilized;
 - (5) an identification of any cooperative agreement or activities to be conducted jointly with other appropriate governmental agencies or with a disaster response team, and whether the person whose activities resulted in the threatened release or discharge is responsible for all or part of the expense incurred by such agency or team;
 - (6) the proposed estimated duration of cleanup, mitigation, or pollution prevention activities to be undertaken to the satisfaction of the Department,
 - (7) to the extent known or reasonably ascertainable, the names, addresses, and telephone numbers of any owners of real or personal property injured or potentially adversely affected by the event producing the threatened release or discharge,

- (8) other pertinent information.

Section 1.7.8 Failure to Notify May Be Basis of Civil Action.

If a person whose activities result in a threatened release or unpermitted discharge fails to notify the Department of the event, the Department may bring a civil action against the person for failure to notify. If the failure to notify is proved, the Tribal Court may assess a penalty not to exceed \$25,000 per day for each day during which such failure continues, plus any cleanup, investigative, and administrative and other costs incurred by the Department or the Tribes, as applicable.

Section 1.7.9 Cleanup Orders, Plans and Operations.

- (1) Any person reasonably believed to have violated any effective requirement established under Water Quality Management Ordinance 89-B, regulations and standards adopted pursuant thereto, or whose activity results in a release or unpermitted discharge which causes or threatens to cause harm to human health or to the environment, including the actual or threatened impairment of existing uses, may be subject to a Departmental order pursuant to Water Quality Management Ordinance 89-B, Chapter 3, Part 2.

- (2) The Department may consider any measures proposed by a responsible party to abate the violation or cease the discharge and to minimize, prevent or reduce the harmful effects of any unlawful discharge, exceedance or other threat to Reservation waters;
- (3) The Department may issue an order requiring the responsible party to immediately comply with the Water Quality Management Ordinance, comply with applicable conditions of a Clean Water Act Section 401 certification, abate the discharge and, as appropriate, propose comprehensive measures by which the responsible party, upon Departmental approval, may achieve compliance. Compliance activities may include restoration of an affected area to its pre-discharge or pre-violation state, full satisfaction of all environmental and natural resource injuries and damages, including but not limited to satisfaction for cultural losses experienced as a result of the violation, and compensation to the Tribes for losses and expenses incurred as a result of responding to the discharge or violation and the time by which compliance and satisfaction must be achieved. Such order constitutes a final agency action subject to the appellate provisions of the Tribal Administrative Procedures Code.

- (4) In the event that a Departmental order is not timely complied with, or is inadequately complied with in the considered view of the Department, the Department may undertake the cleanup and restoration of the site or abatement of the violation and may assess the full costs of the same against the responsible party pursuant to applicable provisions of Water Quality Management Ordinance 89-B and these rules.
- (5) If the measures undertaken or proposed to be undertaken by the person whose activities resulted in the release, or actual or threatened discharge are deemed adequate, the Department will monitor affected waters to determine the effectiveness of the cleanup or mitigation;
- (6) If the measures undertaken or proposed to be undertaken are deemed inadequate by the Department, it will so inform the person whose activities resulted in the threatened release or discharge and require additional or different measures to be undertaken. Departmental requirements will be based on reasonably available and cost-effective remedial measures, considering the seriousness of the threatened release or discharge, and may include monitoring for and mitigation or prevention cumulative effects of the discharge and other measures deemed necessary by the Department.

- (7) Within five days of receipt of Departmental requirements in writing, the person whose activities resulted in the threatened release or discharge must promptly submit a plan of operations incorporating Departmental requirements. The responsible party may, in the same period, propose adequate alternative measures acceptable to the Department. However, the responsible party bears the burden of demonstrating the unreasonableness of Departmental requirements as specified herein and, in the event that the responsible party elects to deviate from Departmental requirements, shall be considered to have violated the provisions of this rule and applicable provisions of the Water Quality Management Ordinance and shall thus be subject to enforcement action brought pursuant thereto.

Section 1.7.10 Cleanup Order, Contents.

- (1) If the person whose activities resulted in the threatened release or discharge does not timely propose and undertake a cleanup of affected or potentially affected lands and waters which will accomplish all feasible mitigation or remediation of adverse effects of the event, the Department may issue a cleanup order to said person.
- (2) Such order will include, at a minimum:

- (a) a listing of essential equipment, supplies, and personnel required to undertake cleanup at the site and to satisfy or mitigate or prevent natural resource and environmental damages;
 - (b) a requirement that cleanup begin as soon as equipment and supplies can be brought to the site;
 - (c) the name and telephone number of the Departmental employee who will monitor the cleanup;
 - (d) Departmental requirements, if any, for chemical and biological sampling and analysis of the deleterious effects of the spill or discharge on water quality, and for reporting of the same; and
 - (e) a notice that if cleanup is not timely commenced and satisfactorily concluded, the Department may undertake the cleanup and restoration of the site and assess the full costs of same against the noncomplying responsible party.
- (3) The Department may assess the foregoing costs and associated losses against such person in its Order. Such Order constitutes a final agency action and shall be appealable pursuant to the terms of the Tribal Administrative Procedures Act.

Section 1.7.11 Noncompliance with Order.

In the event that a cleanup order is not complied with, the Department may bring a civil action against the responsible

party(ies) as set out in Water Quality Management Ordinance 89 B.

Section 1.7.12 Notices of Violation and Cease and Desist Order.

- (1) In instances where the Department reasonably believes that a violation of any provision of Water Quality Management Ordinance 89-B or any permit, certification or control regulation issued pursuant thereto has occurred, it may issue a written notice of violation to the responsible party. Such notice is not subject to appeal except as set out in applicable sections of Water Quality Management Ordinance 89-B Chapter 3, Part 2. However, informal consultation with the Department to discuss its terms may be sought by the recipient and is encouraged.
- (2) Such notice shall include a short and plain statement of the provision(s) alleged to have been violated and the facts supporting such a violation. It may also contain a recommendation for necessary corrective action or such other measures as may be necessary for the responsible party to resolve the violation and a time by which such resolution must occur.
- (3) The Department is further authorized to issue cease and desist orders as set out in Water Quality Management Ordinance 89-B, Section 1-3-209. Such an order shall be appealable pursuant to the provisions of Water Quality Management Ordinance 89-B Chapter 3, Part 2.

- (4) Suspension or Revocation of Permit (Reserved).

PART VIII NONPOINT SOURCE POLLUTION MANAGEMENT (Reserved).

- (1) Until such time as a comprehensive water quality management plan is adopted for the Flathead Reservation pursuant to Water Quality Management Ordinance 89B, whenever pollution or exceedance of any standard, criteria, limitation or other requirement of these rules is found by the Department to be caused by a person or persons resulting in or contributing to nonpoint source pollution, the Department may enter into an agreement with such person for the purpose of preventing, mitigating, or reducing such pollution.
- (2) Such agreement shall provide, without limitation, for such activities to be conducted in accordance with
- (a) reasonable cost-effective best management practices appropriately designed to prevent, reduce, or mitigate the introduction of pollutants into affected, or potentially affected, surface waters, and
 - (b) a schedule of compliance, not to exceed three years in duration, for attainment of the relevant standard.
- (3) An agreement entered pursuant to the rules will be incorporated by reference into the initial Comprehensive

Water Quality Management Plan and will, thereby, become a part of the same.

- (4) In negotiating reasonable cost-effective best management practices or schedules of compliance pursuant to this Rule, the Department may consult with or request technical assistance from agencies of other governments with responsibilities for, or expertise in, the protection of water quality and, if funds are available, may employ qualified consultants to provide research, advice or services as deemed necessary or desirable by the Department.
- (5) If a person whose activities or operations contribute to nonpoint source pollution is (a) a Tribal agency or (b) a lessor or contractor conducting activities upon lands beneficially owned by the Tribes, the Department shall recommend to the Tribal Council imposition of reasonable cost-effective best management practices, a schedule of compliance, and such other measures as it deems appropriate for adoption by Resolution of the Council. Upon adoption of such a Resolution affecting the operating practices of a Tribal agency or enterprise, the requirements of the Resolution will take effect pursuant to the terms of the Resolution. The conditions of said Resolution affecting the operating practices of a lessor or contractor conducting activities on Tribal lands will be incorporated as early as possible into the

relevant instrument and enforced as a material condition thereof.

Part IX 401 CERTIFICATION

Section 1.9.1 - Introduction

Section 401 of the Federal Water Pollution Control Act (Clean Water Act or CWA) requires that applicants for a Federal license or permit relating to any activity which may result in any discharge into navigable waters (i.e., waters of the United States) shall obtain a certification from the responsible governmental authority that such discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of the Clean Water Act.

The Tribes, acting through the Tribal Natural Resources Department, Environmental Protection Division, applied for and upon February 27, 1995 obtained recognition of their authority by the U.S. Environmental Protection Agency to implement the CWA 401 program and to take all action necessary to meet the requirements thereof.

Section 1.9.2 - Purpose

The purpose of this regulation is to establish procedures for application, public notice and hearing in relation to the

processing of applications for certification required by section 401 of the CWA.

Section 1.9.3 - Definitions

- (1) "Applicant" for purposes of CWA 401 certification means any person who applies for a license or permit issued by an agency of the federal government to conduct an activity that may result in a discharge of a pollutant to Reservation surface waters or wetlands.
- (2) "Certification" means a letter of approval, denial or approval with conditions of an application for certification issued by the Environmental Protection Division of the Tribal Natural Resources Department.
- (3) The definitions of other terms used in these regulations shall be consistent with those used in Water Quality Management Ordinance 89-B, the federal Clean Water Act and its implementing regulations. In the case of ambiguity, words will be given their ordinary meaning.

Section 1.9.4 - Authority to Act

A certification, certification with conditions, or denial of certification with conditions or alternatives shall be issued in letter form, but must be assigned a docket number and retained as

a part of the Division's official records. Such letters may be signed by a duly authorized agency official which for purposes of this rule includes the head of the Department of Natural Resources or persons duly authorized to act for him/her in his/her absence.

Section 1.9.5 - Application

- (1) No discharge of pollutants or construction of any facility which may precipitate a discharge of pollutants to Reservation surface waters, including wetlands, may commence without first obtaining a written certification of such discharge as described herein.
- (2) Application for certification may be made upon a form supplied by the Division or in any manner which adequately and accurately describes the applicant's name and address, a description of the proposed point source or activity, its volume, biological, chemical, physical and radiological characteristics, a description of the existing environmental conditions at the site of the proposed discharge, its location and duration and extent of the proposed discharge. The applicant shall also supply the Division with the size of the area potentially affected, the location or locations at which the discharge may enter Reservation waters and any environmental impact assessment, information, maps and/or

photographs provided to any licensing or permitting agency, the date or dates of the proposed activity's inception and termination, a description of the methods proposed to monitor the quality and characteristics of the discharge and operation of the facility from which the discharge will originate and a description of the functions and operation of the activity and any practices proposed to minimize or treat pollutants or other effluent which may be discharged to Reservation waters.

- (3) In cases where a CWA 402 permit application has been made to the U.S. Environmental Protection Agency or a CWA 404 permit application has been made to the U.S. Army Corps of Engineers, or in cases where an applicant has applied for approval for a project pursuant to Tribal Ordinance 87-A, the applicant may submit a complete copy of that permit application to the Division in lieu of subsection (2) above, but may be requested by the Division to supply such additional information as may be reasonably required to afford it sufficient information to make a certification decision in conformity with the Clean Water Act.
- (4) Upon receipt of an application for certification, the Division shall make a record of the date of its receipt. If upon examination the application is found to be defective or incomplete, it will promptly be returned to

the applicant for correction or completion, and the date and reasons for the return shall be marked on a copy of the application and made of record in Division files. The applicant shall be notified of the deficiencies by certified mail within 30 days of receipt by the Division of the application. The applicant shall have another 30 days from notification of the incomplete application to supply complete information to the Division or face rejection of the application. If no response or a grossly inadequate response is received by the Division, the application shall be deemed to have been withdrawn by the applicant. In addition, an untimely response may not be considered by the Division although any applicant may reapply for certification at any time.

- (5) Within thirty (30) days of submission of a complete application and supporting scientific and technical information to the Department for review by the Water Quality Program, the Department may either grant, deny, or grant with conditions the application for 401 certification. Response from the Water Quality Program to the submitted application may be extended an additional forty-five (45) days upon determination that the time provided is insufficient to carry out consultation and technical review of an application.

- (6) If the Division accepts the application and later determines that additional information is required before a certification decision can be made, such information may be required at a later date without rejecting the application. Once a complete application for certification is received by the Division, it shall be granted, denied or granted with conditions or alternatives.
- (7) The Division shall issue a statement of its reasons for denial of certification in writing to the applicant and such statement shall be made a part of the Division's official record with regard to the application.
- (8) The Division's decision as to any complete application for certification shall constitute an "agency action" within the meaning of the Tribal Administrative Procedures Ordinance No. 86-B, and may be appealed according to the terms of that Ordinance. Any person aggrieved by the Division's final determination with respect to grant, deny grant of certification with conditions or alternatives may be appealed as set forth in the Tribal Administrative Procedures Ordinance 86-B.

Section 1.9.6 Public Notice and Public Hearings

Public notice of an application shall be performed in relation to all applications, as follows:

1. By mailing notice of the application for certification to persons and organizations who have requested the same and to all others deemed appropriate, and
2. When determined by the Department as necessary to protect the public interest, by publication of notice as set out in Ordinance 86-B, Part IV, Section 8. However, certification action shall not be construed to constitute rulemaking proceedings for any other purpose. The publication shall be made on a form approved by the Division or Department, as appropriate, and the applicant shall arrange for publication and bear the cost of such publication and provide an affidavit of publication to the Department.
3. Any person desiring to present views on an application in relation to water pollution control considerations shall do so by providing the same in writing to the Division or Department, whichever is identified in the last published notice, or such longer period of time as the Department or division may determine. In cases where the Department or Division has elected to seek public comment on an application, no application may be deemed complete until

the public comment period and hearing, if any, has been completed.

4. If the Department or Division determines there is sufficient public interest in any application, a public hearing for the informal submission of informal oral or written testimony may be held. When this determination is made before notice of application as set out at (1), the notice shall include the time and place of the hearing. Otherwise, a separate notice of public hearing shall be made and such notice shall be distributed and published in the manner provided above, at the sole expense of the applicant. In addition, it shall be the applicant's responsibility to obtain Departmental or Divisional approval of all notices referenced herein and to arrange for publication of same.

TRIBAL CRITERIA CHART

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(a)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (14)		Bioconcentration Factor (BCF) (9)	Human Health Standards (10) (17) (18)	Trigger Level (12)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Acenaphthene 11 -- 1 Acenaphthene 1 Naphthyleneethylene 1,8-Ethyleneacanthene 1,8-Ethylene Naphthalene 1,2-Dihydroacenaphthylene 1 Acenaphthene, 1,2-Dihydro-	83329 or 83-32-9 NIOSH: AB 1255500 SAX: AAE750	Harmful	---	---	242	20	N/A	10
Acenaphthylene (PAH) 11 -- 1 Cyclopenta(De)Naphthalene	208968 or 208-96-8 NIOSH: AB 1254000 SAX: AAF500	Toxin	---	---	30	---	2.3	10
Acrolein 11 -- 1 Biocido 1 Cnilean 1 Aquelin 1 Aqualine 1 Propenal 1 SHH 00701 1 2-propenal 1 Acrolein 1 Acrylaldehyde 1 Acrylic Aldehyde 1 Ethylene Aldehyde	107028 or 107-02-8 NIOSH: AS 1050000 SAX: ADR000	Toxin	---	---	215	320	0.7	20
Acrylamide 11 2 Propenamide 1 Propenamide 1 Acrylic Amide 1 Ethylenecarboxamide 1 RCRA Waste Number U007	79061 or 79-06-1 NIOSH: AS 3325000 SAX: ADS250	Carcinogen	---	---	---	0.008	N/A	---
Acrylonitrile 11 -- 1 Vemox 1 ENT 54 1 TL 314 1 Fumigrain 1 Carbaryl 1 Cyanoethylene 1 Vinyl cyacide 1 Propenenitrile 1 2-Propenenitrile 1 Acrylonitrile monomer 1 RCRA Waste Number U009	107131 or 107-13-1 NIOSH: AT 5250000 SAX: ADX500	Carcinogen	---	---	30	0.059	N/A	20
Alachlor 11 -- 1 Lazo 1 Lasso 1 Alator 1 Alanex 1 Alachlor 1 Pillarzo 1 Metachlor 1 Chimucor 1 SHH 020501 1 Methachlor 1 2-Chloro-N-(2,6-Diethyl)Phenyl-N- Methoxymethylacetamide 1 2-Chloro-2',6'-Diethyl-N-(Methoxymethyl)Acetanilide	15972608 or 15972-60-8 NIOSH: AE 1225000 SAX: CFX000	Carcinogen	---	---	---	2	N/A	0.4
Aldicarb 11 Temik 1 Temik 1 Ambush 1 OMS 771 1 Temik Q 10 1 Aldicarb 1 Carbaryl 1 SHH 098301 1 Carbenolate 1 Sulfone Aldoxycarb 1 Union Carbide 21149 1 RCRA Waste Number P070 1 Propenal, 2-Methyl-2-(Methylthio)-, O- [(Methylamino)Carbonyl]Oxime	116063 or 116-06-3 NIOSH: UE 2275000 SAX: CBM500	Toxin	---	---	---	1	1	1
Aldicarb Sulfone 11 Aldinycarb 1 Sundak 1 UC 21865 1 Sulfocarb 1 SHH 110801 1 Propionaldehyde, 2-Methyl-2- (Methylsulfonyl)-, O-(Methylcarbamoyl)Oxime 1 2-Methyl-2-(Methylsulfonyl)Propional O-(Methylamino)Carbonyl]Oxime	1646884 or 1646-88-4 NIOSH: UE 2080000 SAX: AFK000	Toxin	---	---	---	1	1	1
Aldicarb Sulfonide 11 --	1646873 or 1646-87-3 NIOSH: --- SAX: ---	Toxin	---	---	---	4	1	1

Except where indicated, values are listed as micro-grams-per-liter (µg/l).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (3)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Aldrin -- HHBN Allox Dinox Aldrex Aldite Seedrin Octalene SHIA 045101 RCRA Waste Number P004 Hexachlorohexahydro-endo-exo- Dimethanonaphthalene 1,2,3,4,10,10 Hexachloro-1,4,4a,5,8,8a-Hexahydro-1,4,5,8 Dimethanonaphthalene 1,4,5,8 Dimethanonaphthalene, 1,2,3,4,10,10 Hexachloro- 1,4,4a,5,8,8a-Hexahydro-endo-exo- 1,2,3,4,10,10 Hexachloro-1,4,4a,5,8,8a-Hexa- Hydro-1,4,5,8-Endo-Exo Dimethanonaphthalene 1,2,3,4,10,10 Hexachloro- 1,4,4a,5,8,8a-Hexahydro-1,4-endo-exo-5,8-Dimethanonaphthalene	309002 or 309-00-2 NIOSH: IO 2100000 SAX: AFK250	Carcinogen	1.5	---	4,670	0.00013	N/A	0.2
Alkalinity, total, as CaCO ₃ --	471341 or 471-34-1 NIOSH: --- SAX: ---	Narrative (10)	---	---	---	---	1,000	5,000
Alpha Emitters -- Gross Alpha Adjusted Gross Alpha	Multiple	Carcinogen / Radioactive	---	---	---	15 pico-curie/liter	N/A	---
Aluminum, pH 6.5 to 9.0 only (n) (6) Al	7429905 or 7429-90-5 NIOSH: BD 0330000 SAX: AQX000	Toxin	750	87	---	---	0.4	10
Ammonia plus un-ionized ammonia as N -- Ammonia Anhydrous Anhydrous Ammonia Spirit of Hartshorn	7664417 or 7664-41-7 NIOSH: BO 0875000 SAX: AMY500	Toxin	(7)(8)	(7)(8)	---	---	10 pH and temperature dependent	50
Anthracene (PAH) Paranaphthalene Green Oil Anthracin Tetra Olive N2O	120127 or 120-12-7 NIOSH: CA 9350000 SAX: APO500	Toxin	---	---	30	9,600	0.04	0.2
Antimony (n) Sb Antimony Black Antimony Regulus C.I. 77050 Stibium	7440360 or 7440-36-0 NIOSH: CC 4025000 SAX: AQB750	Toxin	---	---	1	14	0.4	1
Aroclor 1016 PCB 1016 PCB-1016 Aroclor 1016 Chlorodiphenyl (16% Cl) Polychlorinated Biphenyl (Aroclor 1016)	12674112 or 12674-11-2 NIOSH: --- SAX: ---	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Aroclor 1221 PCB 1221 PCB-1221 Aroclor 1221 Chlorodiphenyl (21% Cl) Polychlorinated Biphenyl (Aroclor 1221)	11104282 or 11104-28-2 NIOSH: TQ 1352000 SAX: PJM000	Carcinogen	---	0.014	31,200	0.000044	N/A	15
Aroclor 1232 PCB 1232 PCB-1232 Aroclor 1232 Chlorodiphenyl (32% Cl) Polychlorinated Biphenyl (Aroclor 1232)	11141165 or 11141-16-5 NIOSH: TQ 1354000 SAX: PJM250	Carcinogen	---	0.014	31,200	0.000044	N/A	1

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (9)	Human Health Standards (10) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Aroclor 1242 PCB 1242 PCB 1242 Aroclor 1242 Chlorodiphenyl (42% Cl) Polychlorinated Biphenyl (Aroclor 1242)	51469219 or 53469-21-9 NIOSH: 1356000 SAX: PJM500	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Aroclor 1248 PCB 1248 PCB-1248 Aroclor 1248 Chlorodiphenyl (48% Cl) Polychlorinated Biphenyl (Aroclor 1248)	12672296 or 12672-29-6 NIOSH: TQ 1358000 SAX: PJM750	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Aroclor 1254 PCB 1254 PCB-1254 Aroclor 1254 Chlorodiphenyl (54% Cl) Polychlorinated Biphenyl (Aroclor 1254) NCI C02664	11097691 or 11097-69-1 NIOSH: TQ 1360000 SAX: PJN000	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Aroclor 1260 PCB 1260 PCB 1260 Clophen A60 Aroclor 1260 Phenoclor DP6 Chlorodiphenyl (60% Cl) Polychlorinated Biphenyl (Aroclor 1260)	11096825 or 11096-82-5 NIOSH: TQ 1362000 SAX: PJN250	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Aroclor 1262 PCB 1262 PCB-1262 Aroclor 1262 Chlorodiphenyl (62% Cl) Polychlorinated Biphenyl (Aroclor 1262)	37324235 or 37324-23-5 NIOSH: TQ 1364000 SAX: PJN500	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Aroclor 1268 PCB 1268 PCB-1268 Aroclor 1268 Chlorodiphenyl (68% Cl) Polychlorinated Biphenyl (Aroclor 1268)	11100144 or 11100-14-4 NIOSH: TQ 1366000 SAX: PJN750	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Aroclor 2565 PCB 2565 PCB 2565 Aroclor 2565 Polychlorinated Biphenyl (Aroclor 2565)	37324246 or 37324-24-6 NIOSH: TQ 1368000 SAX: PJO000	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Aroclor 4465 PCB 4465 PCB-4465 Aroclor 4465 Polychlorinated Biphenyl (Aroclor 4465)	11120299 or 11120-29-9 NIOSH: TQ 1370000 SAX: PJO250	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Polychlorinated Biphenyl (Kanechlor 300) -- Kanechlor 300	37353632 or 37353-63-2 NIOSH: TQ 1372000 SAX: PJO500	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Polychlorinated Biphenyl (Kanechlor 400) -- Kanechlor 400 KC-400	12737870 or 12737-87-0 NIOSH: TQ 1374000 SAX: PJO750	Carcinogen	---	0.014	31,200	0.000044	N/A	1
Polychlorinated Biphenyl (Kanechlor 500) -- Kanechlor 500 KC-500	37317412 or 37317-41-2 NIOSH: TQ 1376000 SAX: PJP000	Carcinogen	---	0.014	31,200	0.000044	N/A	1

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(a)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (18)
			Acute (3)	Chronic (4)				
Polychlorinated Biphenyls, mixed PCB's Aroclor Clophen Chlorestol Chlorinated Biphenyl Chlorinated Diphenyl Chlorinated Diphenylene Chloro Biphenyl Chloro-1,1-Biphenyl Clophen Dykanol Fenclor Inerteon Kapochlor Montar Nofarnol PCB (DOT) Phenochlor Polychlorobiphenyl Pyralene Pyranol Santotherm Sovol Thermolol FR 1	1336363 or 1336-36-3 NIOSH: TQ 1350000 SAX: P/L750	Carcinogen	—	0.014	31,200	0.000044	N/A	1
Arsenic, inorganic (7) As Arsenicals Arsenic-75 Arsenic Black Colloidal Arsenic Grey Arsenic Metallic Arsenic	7440382 or 7440-38-2 NIOSH: CG 0525000 SAX: ARA750	Carcinogen	360	190	44	0.018	N/A	1
Asbestos, Chrysotile — 7.45 Asbestos Asbestos (ACQIH) Asbestos, White Dot Avibest C Calidria RG 100 Calidria RG 144 Calidria RG 600 Cassir AK Chrysotile Asbestos Chrysotile (DOT) Hooker Number 1 Chrysotile Asbestos Metaxite NCI C61223A Plastibest 20 Serpentine Serpentine Chrysotile Sylodex White Asbestos	12001295 or 12001-29-5 NIOSH: CI 6478500 SAX: ARM268	Carcinogen	—	—	—	7,000,000 fibers/liter	N/A	—
Asbestos, Actinolite — Asbestos (ACQIH) Actinolite Asbestos	77536664 or 77536-66-4 NIOSH: CI 6476000 SAX: ARM260	Carcinogen	—	—	—	7,000,000 fibers/liter	N/A	—
Asbestos, Amosite — Amosite Asbestos Asbestos (ACQIH) Mysosite NCI C60253A	12172735 or 12172-73-5 NIOSH: CI 6477000 SAX: ARM262	Carcinogen	—	—	—	7,000,000 fibers/liter	N/A	—
Asbestos, Anthophyllite — Anthophyllite Asbestos (ACQIH) Azbolen Asbestos Ferroanthophyllite	77536675 or 77536-67-5 NIOSH: CI 6478000 SAX: ARM264	Carcinogen	—	—	—	7,000,000 fibers/liter	N/A	—
Asbestos — Amianthus Amosite (Obs.) Amphibole Asbestos Fiber Fibrous Grunerite NCI C08991 Serpentine	1332214 or 1332-21-4 NIOSH: CI 6475000 SAX: ARM 250	Carcinogen	—	—	—	7,000,000 fibers/liter	N/A	—
Asbestos, Crocidolite — Amorphous Crocidolite Asbestos Asbestos (ACQIH) Blue Asbestos (DOT) Crocidolite Asbestos NCI C09007 Crocidolite (DOT) Fibrous Crocidolite Asbestos	12001284 or 12001-28-4 NIOSH: CI 6479000 SAX: ARM275	Carcinogen	—	—	—	7,000,000 fibers/liter	N/A	—
Asbestos, Tremolite — Asbestos (ACQIH) Fibrous Tremolite NCI C08991 Tremolite Asbestos	77536686 or 77536-68-6 NIOSH: 6560000 SAX: ARM280	Carcinogen	—	—	—	7,000,000 fibers/liter	N/A	—

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(n)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (9)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Atrazine — Aatrex Altkon Atrazine Atrid Candex Crisatrina Crisazine Cyazin Fenamin Fenamine Zeaphos Fenatrol Gesaprim Hungazin Inakor Primatol Malerinais Radazin Radizine Shell Atrazine herbicide Strazine Triazine A 1294 Vectal Weedex A Wonuk Zeazin Zeazine SHA 080803 1-Chloro-3-Ethylamino-5-Isopropylamino-2,4,6-Triazine s-Triazine, 2-Chloro-4-Ethylamino-6-Isopropylamino- 2-Chloro-4-Ethylamino-6- Isopropylamino s-Triazine 6-Chloro-N-Ethyl N'-(1-Methylethyl)-1,3,5-Triazine 2,4- Diamine	1912249 or 1912-24-9 NIOSH: XY 5600000 SAX: PMC325	Toxin	—	—	—	3	0.1	0.6
Bartum (n) Ba	7440393 or 7440-39-3 NIOSH: CA 8370000 SAX: BAH250	Toxin	—	—	—	1,000	2	5
Benzene — Phene Benzol Benzolene Pyrobenzol Carbon Oil SHA 109301 Coal Naphtha Motor Benzol Phenyl hydride Cyclohexatriene Carwell Number 077 RCRA Waste Number U019 EPA Pesticide Chemical Code 008801 NCI C55276	71432 or 71-43-2 NIOSH: CY 1400000 SAX: BBL250	Carcinogen	—	—	5.2	1.2	N/A	0.5
Benzidine — p,p'-Bianiline 4,4'-Bianiline 4,4'-Biphenyldiamine p,p'-Diaminobiphenyl 4,4'-Diaminodiphenyl RCRA Waste Number U021 4,4'-Biphenylenediamine 4,4'-Diphenylenediamine Biphenyl, 4,4'-Diamino- 4,4'-Diamino-1,1'-Biphenyl (1,1'-Biphenyl)-4,4'-Diamine NCI C03361	92875 or 92-87-5 NIOSH: DC 9625000 SAX: BBX000	Carcinogen	—	—	87.5	0.00012	N/A	20
Benzo(a)anthracene (PAH) — Tetraphene Benzanthracene Benzoanthracene Naphthanthracene 1,2-Benzanthrene Benz(a)Anthracene Benzo(a)Anthracene Benzo(a)Anthracene 1,2-Benzanthracene Benzo(b)Phenanthrene 1,2-Benzoanthracene Benzanthracene, 1,2- 1,2-Benz(a)Anthracene 2,3-Benzophenanthrene RCRA Waste Number U018	56553 or 56-55-3 NIOSH: CV 9275000 SAX: BBC250	Carcinogen	—	—	30	0.0044	N/A	0.25
Benzo(b)Fluoranthene (PAH) — B(b)F Benzo(b)Fluoranthene Benzo(e)Fluoranthene Benzo(e)Fluoranthene 2,3-Benzfluoranthene 3,4-Benzfluoranthene 3,4-Benzofluoranthene 2,3-Benzofluoranthene 2,3-Benzofluoranthene Benz(e)Acephanthrylene Benz(e)Acephanthrylene 3,4-Benz(e)Acephanthrylene	205992 or 205-99-2 NIOSH: CU 1400000 SAX: BAW250	Carcinogen	—	—	30	0.0044	N/A	0.25

Ex. ept where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(s)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Benzo(k)Fluoranthene (PAH) — Benzo(k)Fluoranthene 8,9 Benzofluoranthene Dibenzo(b,h,k)Fluorene 2,3,1'8'-Binaphthylene 11,12 Benzofluoranthene 11,12 Benzo(k)Fluoranthene	207089 or 207-08-9 NIOSH: DF 6350000 SAX: BCJ750	Carcinogen	—	—	30	0.0044	N/A	0.25
Benzo(g,h,i)perylene (PAH) 1,12 Benzoperylene 1,12-Benzperylene Benzo(ghi)Perylene	191242 or 191-24-2 NIOSH: DJ 6200500 SAX: BCR000	Toxin	—	—	30	—	0.076	10
Benzo(a)Pyrene (PAH) — BaP 3,4 BP Benzo(a)Pyrene Benzo-a Pyrene 3,4 Benzpyrene 6,7 Benzopyrene 3,4-Benzopyrene 3,4-Benz(a)Pyrene Benzo(d,e,f)Chrysene Benzo(def)Chrysene	50328 or 50-32-8 NIOSH: DJ 3675000 SAX: BCS750	Carcinogen	—	—	30	0.0044	N/A	0.2
Beryllium (M) Be Beryllium 9 Glucinum RCRA Waste Number P015	7440417 or 7440-41-7 NIOSH: DS 1750000 SAX: BFO750	Carcinogen	—	—	19	4.0	N/A	1
Beta-4'Chloronaphthalene 2-Chloronaphthalene 8-Chloronaphthalene Naphthalene, 2-Chloro- RCRA Waste Number U047	91587 or 91-58-7 NIOSH: QJ 2275000 SAX: CJA000	Toxin	—	—	202	1,700	0.94	10
Beta Emitters (18) — Gross Beta	12587472 or 12587-47-2 NIOSH: — SAX: —	Carcinogen / Radioactive	—	—	—	4 mrem ede/yr	N/A	—
Bis(2-Chloroethoxy)Methane — Bis(8-Chloroethyl)Formal	111911 or 111-91-1 NIOSH: PA 3675000 SAX: BID750	Toxin	—	—	0.64	—	0.5	—
Bis(2-Chloroisopropyl) Ether — DCIP NCI C50044 RCRA Waste Number U027 Dichlorodiiisopropyl Ether 2,2'-Oxybis(1-Chloropropane) Bis(2-Chloroisopropyl) ether Propane, 2,2'- Oxybis(2-Chloro- Propane, 2,2'-Oxybis[1-Chloro- 2',2'-Dichlorodiiisopropyl Ether Dichlorodiiisopropyl Ether (DOT) Bis(2-Chloro-1-Methylethyl) Ether	108601 or 108-60-1 NIOSH: KN 1750000 SAX: BII250	Toxin	—	—	2.47	1,400	0.8	10
Bis(Chloroethyl)Ether — BCEE DCEE Clorex Chlorox Chloroethyl Ether Dichloroethyl Ether Dichloroethyl Oxide RCRA Waste Number U025 Bis(Chloroethyl) Ether Di(2-Chloroethyl) Ether Bis(Chloroethyl) Ether Bis(2-Chloroethyl) Ether Bis(8-Chloroethyl) Ether 8,8'-Dichloroethyl Ether 2,2'-Dichloroethyl Ether Bis(2-Chloroethyl) Ether 1,1'-Oxybis(2-Chloro)Ethane Ethane, 1,1'-Oxybis[2- Chloro- beta,beta'-Dichloroethyl Ether 1-Chloro-2-(beta-Chloroethoxy)Ethane	111444 or 111-44-4 NIOSH: KN 0875000 SAX: BIC750	Carcinogen	—	—	6.9	0.031	N/A	10

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(b)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (14)		Bioconcentration Factor (BCF) (9)	Human Health Standards (4) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Bis(Chloromethyl)Ether — BCME bis CME Chloromethyl Ether Oxybis(Chloromethane) RCRA Waste Number P016 Bis (Chloromethyl) Ether sym Dichlorodimethyl Ether 1,1' Dichlorodimethyl Ether Dimethyl 1,1' Dichloroether Chloro(Chloromethoxy)Methane	542881 or 542 88-1 NIOSH: 1575000 SAX: BIK000	Carcinogen	—	—	0.63	0.00016	N/A	10
Bromodichloromethane (HM) — BDCM NCI C55243 Dichlorobromomethane Methane, bromodichloro- Dichloromonobromomethane Monobromodichloromethane	75274 or 75 27 4 NIOSH: PA 5310000 SAX: BND500	Carcinogen	—	—	3.75	0.56	N/A	0.5
p-Bromodiphenyl Ether — p-Bromodiphenyl Ether 4-Bromophenoxybenzene 4-Bromodiphenyl Ether 1-Bromo-4-Phenoxybenzene p-Bromophenylphenyl Ether 4-Bromophenyl Phenyl Ether Benzene, 1-Bromo-4-Phenoxy-	101553 or 101 55 3 NIOSH: — SAX: —	Toxin with BCF > 300	—	—	1.640	—	N/A	10
Bromoform (HM) Tribromomethane NCI C55130 Methane, Tribromo- Methenyl Tribromide RCRA Waste Number U225	75252 or 75 25 2 NIOSH: PB 5600000 SAX: BNL000	Carcinogen	—	—	3.75	4.3	N/A	0.5
Bromomethane (HM) Methyl Bromide EDCO Celforma Dowfume Methogas SHA 053201 Brom-O-Sol Brom-O-Gas Terr-O-Gas Halon 1001 Terr-O-Cide Bromo-O-Gas Bromo Methane Methylbromide Methyl Bromide Methane, Bromo- Monobromomethane RCRA Waste Number U029	74839 or 74 83 9 NIOSH: PA 4900000 SAX: BNM500	Toxin	—	—	3.75	48	0.11	0.5
Butyl Benzyl Phthalate — BBP Sicol 160 Unimoll BB Palatinol BB Senticizer 160 Butylbenzylphthalate Butylbenzyl Phthalate Benzyl Butyl Phthalate n-Benzyl Butyl Phthalate Benzyl n-Butyl Phthalate Phthalic Acid, Benzyl Butyl Ester Butyl Phenylmethyl 1,2-Benzenedicarboxylate 1,2-Benzenedicarboxylic Acid, Butyl Phenylmethyl Ester NCI C54375	85687 or 85 68 7 NIOSH: TH 9990000 SAX: BEC500	Toxin with BCF > 300	—	—	414	3,000	N/A	10
Cadmium (9) Cd C.I. 77180 Colloidal Cadmium	7440439 or 7440-43-9 NIOSH: EU 9800000 SAX: CAD000	Toxin	3.9 @ 100 mg/l hardness (12)	1.1 @ 100 mg/l hardness (12)	64	5	0.1	0.1
Carbofuran — Yelltox Euranol Furadan Curatex Furcarb SHA 090601 Niagra 10242 2,2-Dimethyl-7-Coumaranyl N-Methylcarbamate 2,2-Dimethyl-2,3-Dihydro- 7-Benzofuranyl N-Methylcarbamate Carbanic Acid, Methyl-, 2,3-Dihydro-2,2- Dimethyl-7-Benzofuranyl Ester	1563662 or 1563-66-2 NIOSH: FB 9450000 SAX: FPE000	Toxin	—	—	—	40	1	1

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (U) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (9)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (7)	Chronic (4)				
Carbon Tetrachloride --- R 10 Univerm Freon 10 Tetrasol Fasciolin Flukoids Necatorina Necatorine Halon 104 Tetrasol Carbon Tet Benzoinform Carbon Chloride Perchloromethane Tetrachloromethane Methane Tetrachloride RCRA Waste Number U211	56235 or 56-23-5 NIOSH: FO 4900000 SAX: CBY000	Carcinogen	---	---	18,75	0.25	N/A	0.5
Cesium (10) Cs	Cesium 134 13967709 or 13967-70-9 NIOSH: --- SAX: ---	Carcinogen / Radioactive	---	---	---	4 mrem oed/yr	N/A	---
Cesium (10) Cs	Cesium 137 10045973 or 10045-97-3 NIOSH: --- SAX: ---	Carcinogen / Radioactive	---	---	---	4 mrem oed/yr	N/A	---
Cesium (10) Cs	Cesium 137 12587472 or 12587-47-2 NIOSH: --- SAX: ---	Carcinogen / Radioactive	---	---	---	4 mrem oed/yr	N/A	---
Cesium (10) Cs	Cesium 144 --- NIOSH: --- SAX: ---	Carcinogen / Radioactive	---	---	---	4 mrem oed/yr	N/A	---
Chlordane --- Belt Niran Dowchlor Chlortox Chlordan Clordano Chlor Kil Toxichlor Octa-Klor Ortho-Klor SHA 058201 Gold Crest C-100 Chlordane, Technical RCRA Waste Number U036 Octachloro-4,7- Methanehydroindane Octachlorodihydrodicyclopentadiene 1,2,4,5,6,7,8,8- Octachloro-3a,4,7,7a-Hexahydro Octachloro-4,7-Methanotetrahydroindane-4,7- Methylene Indane 4,7-Methanoindan, 1,2,4,5,6,7,8,8-Octachloro-3a,4,7,7a-tetrahydro- 1,2,4,5,6,7,8,8-Octachloro-2,3,3a,4,7,7a-Hexahydro-4,7-Methano-Indene 4,7- Methano-1H-Indene 1,2,4,5,6,7,8,8-Octachloro-2,3,3a,4,7,7a-Hexahydro-	57749 or 57-74-9 NIOSH: PB 9800000 SAX: CDR750	Carcinogen	1.2	0.0043	14,100	0.00057	N/A	0.4
alpha-Chlordane --- α-Chlordane cis-Chlordan cis-Chlordane α(cis) Chlordane Chlordane, cis Isomer	5103719 or 5103-71-9 NIOSH: PB 9705000 SAX: CDR675	Carcinogen	1.2	0.0043	14,100	0.00057	N/A	0.4
gamma-Chlordane --- Chlordane, beta Isomer	5103742 or 5103-74-2 NIOSH: --- SAX: ---	Carcinogen	1.2	0.0043	14,100	0.00057	N/A	0.4

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(n)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (14)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
trans-Nonachlor (Chlordane component) — Chlordane, trans-isomer	39765805 or 3976580-5 NIOSH: — SAX: —	Carcinogen	12	0.0043	14,100	0.00057	N/A	0.4
Chloride —	16887006 or 16887-00-6 NIOSH: — SAX: —	Narrative (18)	860,000	230,000	—	—	N/A	1,000
Chlorine, total residual Cl Bertholite Chlorine, molecular Molecular Chlorine	7782505 or 7782-50-5 NIOSH: FO 2100000 SAX: CDV750	Toxin	19	11	—	—	100	—
p-Chloro-m-Cresol — PCMC Parol Aptal Bakrol Baktolan Ottafect Raschit Rasen Anicon Parmetol Candasetpic Chlorocresol Preventol CMK RCRA Waste Number U039 Parachlorometra Cresol 4-Chloro-3-methylphenol 2-Chloro-Hydroxytoluene Phenol, 4-Chloro-3-methyl- Chlorophenol, 4-, methyl, 3-	59507 or 59-50-7 NIOSH: GO 7100000 SAX: CFE250	Harmful	—	—	—	3,000	N/A	20
Chlorobenzene Monochlorobenzene MCB Chlorobenzol Chlorbenzene Phenyl Chloride Benzene Chloride Benzene, Chloro- Monochlorobenzene RCRA Waste Number U037 NCI C54886	108907 or 108-90-7 NIOSH: CZ 0175000 SAX: BBM750	Harmful	—	—	10.3	20	N/A	0.5
2-Chloroethyl Vinyl Ether — (2-Chloroethoxy)Ethane RCRA Waste Number U042 Vinyl 2-Chloroethyl Ether Vinyl 2-Chloroethyl Ether	110758 or 110-75-8 NIOSH: KN 6300000 SAX: CHZ50	Carcinogen	—	—	0.557	—	N/A	—
Chloroform (HM) Trichloromethane TCM Freon 20 Trichloroform R-20 Refrigerant Methenyl Chloride Formyl Trichloride Methyl Trichloride Methane Trichloride Methane, Trichloro- Methenyl Trichloride RCRA Waste Number U044 NCI C02686	67663 or 67-66-3 NIOSH: FS 9100000 SAX: CHU500	Carcinogen	—	—	3.75	5.7	N/A	0.5
Chloroethane — Aethylis Aethylis Chloridum Anodynon Chalep Chlorethyl Chloridum Chloroethane Chloryl Chloryl Anesthetic Ethyl Chloride Ether Chloratus Ether Hydrochloric Ether Muriatic Hydrochloric Ether Kelena Monochloroethane Muriatic Ether Narcotile NCI C06224	75003 or 75-00-3 NIOSH: KH 7525000 SAX: EHH000	Toxin	—	—	—	—	0.52	—
2-Chlorophenol — o-Chlorophenol Chlorophenol, 2- Phenol, 2-Chloro- Phenol, o-Chloro- RCRA Waste Number U048	95578 or 95-57-8 NIOSH: SK 2625000 SAX: CJK250	Harmful	—	—	134	0.1	N/A	10

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(a)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (9) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
4-4' chlorophenyl Phenyl Ether — 	7005723 or 7005-72-3 NIOSH: — SAX: —	Toxin with BCF > 300	—	—	1,200	—	N/A	—
Chlorpyrifos — Ethion Brodan Eradex Durban Lorban Pyrinex NA 2783 Piridane DowCo 179 SIFA 059101 Ethion, dry Chlorothalonil Chlorpyrifos Ethyl O,O-Diethyl O-3,5,6-Trichloro-2-Pyridyl Phosphorothioate Phosphorothioic Acid, O,O-Diethyl O-(3,5,6-Trichloro-2-Pyridyl) Ester	2921882 or 2921-88-2 NIOSH: TF 6300000 SAX: DYE000	Toxin	0.083	0.041	—	—	0.025	1
Chromium (6) Cr Chrome	7440473 or 7440-47-3 NIOSH: GB 4200000 SAX: CMI750	Toxin	—	—	—	100	0.1	1
Chromium, trivalent (6) Chromium (III)	16065831 or 16065-83-1 NIOSH: — SAX: —	Toxin	1,700 @ 100 mg/l hardness (12)	210 @ 100 mg/l hardness (12)	16	100	—	—
Chromium, hexavalent (6) Chromium (VI)	18540299 or 18540-29-9 NIOSH: — SAX: —	Toxin	16	11	16	100	5	5
Chrysene (PAH) — Benz(a)Phenanthrene Benzo(a)Phenanthrene 1,2-Benzophenanthrene 1,2-Benzophenanthrene RCRA Waste Number U050 1,2,5,6-Dibenzonaphthalene	218019 or 218-01-9 NIOSH: GC0700000 SAX: CML810	Carcinogen	—	—	30	0.0044	N/A	0.25
Coliform, fecal (13) (18) —	N/A	Harmful - Surface Narrative - Ground	—	—	—	—	N/A	—
Color (13) —	N/A	Harmful	—	—	—	—	N/A	5 UNITS
Conductance, specific (21) —	N/A	Narrative	—	—	—	—	N/A	—
Copper (6) Cu Albrri Natural Copper ANAC 110 Arwood Copper Bronze Powder CDA 101 CDA 102 CDA 110 CDA 122 C.I. 77400 C.I. Pigment Metal 2 Copper Bronze 1721 Gold Gold Bronze Kafer Copper M1 (Copper) M2 (Copper) OFHC Cu Raney Copper	7440508 or 7440-50-8 NIOSH: GL 5325000 SAX: CNJ000	Toxin	18 @ 100 mg/l hardness (12)	12 @ 100 mg/l hardness (12)	36	1,000	0.5	1
Cyanide, total — Cyanide Isocyanide Cyanide Ion Free Cyanide Cyanide Anion Carbon Nitride Ion (CN ⁻) RCRA Waste Number P030 Cyanide, weak acid dissociable (WAD) Cyanides, includes soluble salts and complexes	57125 or 57-12-5 NIOSH: GS 7175000 SAX: COL500	Toxin	22	5.2	1	200	5	5

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (9)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Dalapon -- Dalpon Unipon Dowpon Radapon Revenge Basinex Ded-Weed Dalacide Gramexin Crisapon Dalpon Sodium Sodium Dalapon 2,2-Dichloropropionic Acid SHA 28902, for sodium salt SHA 28901, for dalapon only Propionic Acid, 2,2-Dichloro- Sodium 2,2-Dichloropropionate α-Dichloropropionic Acid α,α-Dichloropropionic Acid alpha-alpha- Dichloropropionic Acid	75990 or 75 99-0 NIOSH: UF 0690000 SAX: DG1400	Toxin	---	---	---	200	1.3	3
Dalapon, sodium salt -- Dalpon Unipon Dowpon Radapon Revenge Basinex Ded-Weed Dalacide Gramexin Crisapon Dalpon Sodium Sodium Dalapon 2,2-Dichloropropionic Acid SHA 28902, for sodium salt SHA 28901, for dalapon only Propionic Acid, 2,2-Dichloro- Sodium 2,2-Dichloropropionate alpha-alpha-Dichloropropionic Acid	127208 or 127 20-8 NIOSH: UF 1225000 SAX: DG1600	Toxin	---	---	---	200	1.3	3
Demeton -- Sytox Bay 10756 Bayer 8169 Demox Diethoxy Thiophosphoric Acid Ester of 2-Ethylmercaptoethanol O,O-Diethyl 2-Ethylmercaptoethyl Thiophosphate O,O-Diethyl O(and S) 2 (Ethyl Thio)Ethyl Phosphorothioate Mixture E 1059 ENT 17,295 Mercaptophos Systemox Sytox ULV Demeton O + Demeton S	8065483 or 8065-48-3 NIOSH: TF 3150000 SAX: DAO600	Toxin	---	0.1	---	---	---	---
Di(2-Ethylhexyl)Adipate Hexanedioic Acid DEHA BEHA Bisolfex DOA Effemoll DOA Ergoplast AdDO Flexol A 26 PX-238 Roomol DOA Vestinol OA Wickenol 158 Kodaflex DOA Monoplex DOA NCI C54386 Octyl Adipate Dioctyl Adipate Di-2- Ethylhexyl Adipate Di (2-Ethylhexyl) Adipate Bis(2-Ethylhexyl) Adipate Adipic Acid, Bis(2-Ethylhexyl) Ester Hexanedioic Acid, Bis(2-Ethylhexyl) Ester	103231 or 103-23-1 NIOSH: AU 9700000 SAX: AEO000	Toxin	---	---	---	400	0.5	6
Di(2-Ethylhexyl)Phthalate (PAE) Bis(2-Ethylhexyl)Phthalate BEHP DEHP Octoil Fleximel Flexol DOP Kodaflex DOP Ethylhexyl Phthalate Diethylhexyl Phthalate 2-Ethylhexyl Phthalate Di(Ethylhexyl)phthalate Di(2-Ethylhexyl)phthalate Bis (2-Ethylhexyl) Phthalate Bis(2-Ethylhexyl)-1,2-Benzene-Dicarboxylate 1,2-Benzenedicarboxylic Acid, Bis(2- Ethylhexyl)Ester	117817 or 117-81-7 NIOSH: T1 0350000 SAX: BJS000	Carcinogen	---	---	130	1.8	N/A	6
n-Dioctyl Phthalate -- DNOP PX-138 Vinicizer 85 Dinopol NOP n-Octyl Phthalate Octyl Phthalate Dioctyl Phthalate Di-n-Octyl Phthalate Di sec Octyl Phthalate RCRA Waste Number U107 1,2-Benzenedicarboxylic Acid, Dioctyl Ester	117840 or 117-84-0 NIOSH: T1 1925000 SAX: DVL600	Carcinogen	---	---	---	---	N/A	6

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(a)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (9) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Dibenz[a,h]Anthracene (PAH) — DBA DB(a,h)A Dibenz(a,h)Anthracene RCRA Waste Number U063 Dibenzo(a,h)anthracene 1,2,5,6 Benzanthracene Dibenz(a,h) Anthracene 1,2,5,6 Dibenzanthracene 1,2,5,6-Dibenz(a)Anthracene	53703 or 53-70-3 NIOSH: HN 2625000 SAX: DCT400	Carcinogen	—	—	30	0.0044	N/A	0.5
1,2-Dibromo-3,4-Dibromopane — DBCP Fumagon Fumazone NCI C00500 Nemahrom Nemafume Nemagon Nemagone Nemagone Soil Fumigant Nemanax Nemapaz Nemaset Nematocide Nematox OS 1897 OXY DBCP SD 1897 Caswell Number 287 Dibromochloropropane RCRA Waste Number U066 1-Chloro-2,3-Dibromopropane Propane, 1,2-Dibromo-3-Chloro EPA Pesticide Chemical Code 011301	96128 or 96-12-8 NIOSH: TX 8750000 SAX: DDL300	Carcinogen	—	—	—	0.2	N/A	0.05
Dibromochloromethane (HM) — CDBM NCI C55254 Chlorodibromomethane Methane, Dibromochloro- Dibromomonochloromethane Monochlorodibromomethane	124481 or 124-48-1 NIOSH: PA 6360000 SAX: CFK500	Carcinogen	—	—	3.75	0.41	N/A	0.5
Dibutyl Phthalate — DPB Celluflex DPB Elsol Hexaplas M/B Palatinol C Polycizer DBP PX 104 Staflex DBP Witcizer SHA 028001 Butylphthalate N-Butylphthalate Dibutyl Phthalate Di-p Butylphthalate Di-n Butylphthalate Dibutyl-o-Phthalate Di-n Butyl Phthalate RCRA Waste Number U069 Phthalic Acid Dibutyl Ester Dibutyl 1,2-Benzene Dicarboxylate 1,2- Benzenedicarboxylic Acid Dibutyl Ester 1,2-Benzenedicarboxylic Acid, Dibutyl Ester Benzene-o-Dicarboxylic Acid Di-n-Butyl Ester	84742 or 84-74-2 NIOSH: TI 0875000 SAX: DEH200	Toxin	—	—	89	2,700	0.25	0.25
1,2-Dichlorobenzene — DCB ODB ODCB Dizene Cloroben Chloroben Chloroden Termutal Dilatin DB Dowtherm E Dilatin DB o-Dichlorobenzene Orthodichlorobenzene ortho-Dichlorobenzene Special Termite Fluid Benzene, 1,2-Dichloro- RCRA Waste Number U070	95501 or 95-50-1 NIOSH: CZ 4500000 SAX: DEP600	Toxin	—	—	55.6	600	0.02	10
1,3-Dichlorobenzene — M Dichlorobenzene m Dichlorobenzene meta-Dichlorobenzene Dichlorobenzene, 1,3- Benzene, 1,3 Dichloro-	541731 or 541-73-1 NIOSH: CZ 4499000 SAX: DEP699	Toxin	—	—	55.6	400	0.006	10

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
1,4-Dichlorobenzene -- PDB FDCB NCI C54955 Evula Paradi Paradow Peris Persol Paracide Parazene Paramuth Sarnochlor Parasnugga di-Chloride Para Crystals p-Dichlorobenzene Carwell Number 632 Paradichlorobenzene para Dichlorobenzene Benzene, 1,4 Dichloro- RCRA Waste Number U070 RCRA Waste Number U071 RCRA Waste Number U072 p-Chlorophenyl Chloride EPA Pesticide Chemical Code 061501	106467 or 106-46-7 NIOSH: CZ 4550000 SAX: DEP800	Toxin	---	---	55.6	75	0.006	10
3,3'-Dichlorobenzidine -- DCB CI 23060 Curithane C126 Dichlorobenzidine o,o'- Dichlorobenzidine Dichlorobenzidine Base Benzidine, 3,3'-Dichloro- RCRA Waste Number U073 3,3'-Dichloro-4,4'-Diaminodiphenyl 3,3'-Dichloro- (1,1'-Biphenyl)-4,4'-Diamine 1,1'-Biphenyl-4,4'-Diamine, 3,3'-Dichloro-	91941 or 91-94-1 NIOSH: DD 0524000 SAX: DEQ400	Carcinogen	---	---	312	0.039	N/A	20
Dichlorodifluoromethane (HM) -- F 12 R 12 FC 12 Halon CFC-12 Arcton 6 Electro-CF 12 Eakimon 12 Frigen 12 Gentron 12 Iscon 122 Kaiser Chemicals 12 Lodon 12 Ucon 12 Freon 12 Propellant 12 Refrigerant 12 Fluorcarbon 12 RCRA Waste Number U075 Difluorodichloromethane Methane, dichlorodifluoro-	75718 or 75-71-8 NIOSH: PA 8200000 SAX: DFA600	Toxin	---	---	3.75	6,900	0.05	0.5
p,p'-Dichlorodiphenyl Dichloroethane -- TDE DDD Dilene NCI C00475 Rothane Rhothane 4,4' DDD p,p'-DDD p,p'-TDE 4,4'-D-DDD RCRA Waste Number U060 Tetrachlorodiphenylethane Dichlorodiphenyldichloroethane Dichlorodiphenyl Dichloroethane 2,2-bis(4-Chlorophenyl)-1,1-Dichloroethane 1,1-Dichloro-2,2-bis(p- Chlorophenyl) Ethane 1,1-bis(4-Chlorophenyl)-2,2-Dichloroethane 2,2-bis(p- Chlorophenyl)-1,1-Dichloroethane Benzene, 1,1'(2,2-Dichloroethylidene)Bis(4-Chloro-	72548 or 72-54-8 NIOSH: KJ 0700000 SAX: BIM300	Carcinogen	---	---	53,600	0.00083	N/A	0.01
p,p'-Dichlorodiphenyldichloroethylene -- DDE p,p'-DDE 4,4'-DDE NCI C00555 Dichlorodiphenyldichloroethylene Dichlorodiphenyldichloroethylene, p,p'- 2,2'- bis(4-Chlorophenyl)-1,1-Dichloroethylene 1,1'-(Dichloroethylenidene)bis(4- Chlorobenzene) 2,2'-bis(p-Chlorophenyl)-1,1-Dichloroethylene Benzene, 1,1'- (Dichloroethylenidene)Bis(4-Chloro-	72559 or 72-55-9 NIOSH: KV 9450000 SAX: BIM750	Carcinogen	---	---	53,600	0.00059	N/A	0.01

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
p,p'-Dichlorodiphenyltrichloroethane -- DDT 4,4'-DDT Agriatan Anoflex Arkotone Azotox Bosan Supra Bovidermol Chlorophenothan Chlorophenothane Chlorophenotoxum Citox Clufenotane Dodelo Chlorophenothane Diphenyltrichloromethane Dichlorodiphenyltrichloroethane 4,4'-Dichlorodiphenyltrichloroethane Dichlorodiphenyltrichloroethane, p,p'- 1,1,1-Trichloro-2,2-bis(p-Chlorophenyl) Ethane 1,1,1-Trichloro-2,2-bis(p-Chlorophenyl)Ethane 1,1,1-Trichloro-2,2-Di(4- Chlorophenyl) Ethane 1,1-Bis-(p-Chlorophenyl) 2,2,2-Trichloroethane 2,2-Bis-(p- Chlorophenyl) 1,1,1-Trichloroethane Benzene, 1,1'-(2,2,2-Trichloroethylidene)Bis(4- Chloro-) alpha,alpha-Bis(p-Chlorophenyl)-beta,beta,beta-Trichloroethane	50293 or 50-29-3 NIOSH: KJ 3325000 SAX: DAD200	Carcinogen	0.55	0.001	53,600	0.00059	N/A	0.06
1,1-Dichloroethane Vinylidene Chloride VDC 1,1-DCE NCI C04535 1,1-Dichloroethane Vinylidene Chloride 1,1-Dichloroethylene Ethene, 1,1-Dichloro- Vinylidene Dichloride Ethylidene Dichloride Dichloroethylene, 1,1- RCRA Waste Number U076 Ethylene, 1,1- Dichloro- Chlorinated Hydrochloric Ether	75343 or 75-34-3 NIOSH: KJ 0175000 SAX: DFF809	Carcinogen	---	---	---	---	N/A	0.5
1,2-Dichloroethane -- EDC Brocide 1,2-DCE NCI C00511 Dutch Oil Dutch Liquid Dichloromulsion Di-Chlor Mulsion 1,2-Bichloroethane 1,2-Dichloroethane Ethane Dichloride Ethylene Chloride 1,2-Bichloroethane Ethylene Dichloride Dichloroethane, 1,2- Ethane, 1,2-Dichloro- RCRA Waste Number U077 1,2-Ethylene Dichloride alpha,beta-Dichloroethane	107062 or 107-06-2 NIOSH: KJ 0525000 SAX: DFF900	Carcinogen	---	---	1.2	0.38	N/A	0.5
1,1-Dichloroethene Vinylidene Chloride VDC 1,1-DCE Scenatex NCI C54262 1,1-Dichloroethane 1,1-Dichloroethene Vinylidene Chloride 1,1-Dichloroethylene Vinylidene Dichloride Ethene, 1,1-Dichloro- Vinylidene Chloride II RCRA Waste Number U078 Dichloroethylene, 1,1- Ethylene, 1,1-Dichloro-	75354 or 75-35-4 NIOSH: KV 9275000 SAX: DFI000	Carcinogen	---	---	5.6	0.57	N/A	0.5
cis-1,2-Dichloroethylene -- 1,2-Dichloroethylene cis-Dichloroethylene cis-1,2-Dichloroethene 1,2,cis-Dichloroethylene ethylene, 1,2-Dichloro-, (z)-	156592 or 156-59-2 NIOSH: KV 9420000 SAX: DFI200	Toxin	---	---	---	70	0.002	0.5
trans-1,2-Dichloroethylene -- trans-Dichloroethylene RCRA Waste Number U079 trans-1,2-Dichloroethane trans-1,2-Dichloroethene Dichloroethylene, trans- trans-Acetylene Dichloride 1,2-trans-Dichloroethylene Ethene, 1,2-Dichloro-, (E)- 1,2-Dichloroethylene, trans-	156605 or 156-60-5 NIOSH: KV 9400000 SAX: DFI600	Toxin	---	---	1.58	100	0.05	0.5

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
1,4-Dichlorobenzene --- PDB PDCB NCI C54955 Evola Paradi Paradow Persia-Parazol Parado Parazene Paramoth Santochlor Parosuggate di-Chloricide Para Chrystals p-Dichlorobenzene Carwell Number 632 Paradichlorobenzene para Dichlorobenzene Benzene, 1,4 Dichloro- RCRA Waste Number U070 RCRA Waste Number U071 RCRA Waste Number U072 p-Chlorophenyl Chloride EPA Pesticide Chemical Code 061501	106467 or 106-46-7 NIOSH: CZ 4550000 SAX: DEP800	Toxin	---	---	55.6	75	0.006	10
3,3'-Dichlorobenzidine --- DCB C.I. 23060 Curithane C126 Dichlorobenzidine o,o'- Dichlorobenzidine Dichlorobenzidine Base Benzidine, 3,3'-Dichloro- RCRA Waste Number U073 3,3'-Dichloro 4,4'-Diaminodiphenyl 3,3'-Dichloro- (1,1'-Biphenyl)-4,4'-Diamine 1,1'-Biphenyl-4,4'-Diamine, 3,3'-Dichloro-	91941 or 91-94-1 NIOSH: DD 0524000 SAX: DEQ400	Carcinogen	---	---	112	0.039	N/A	20
Dichlorodifluoromethane (HFM) --- F 12 R 12 FC 12 Halon CFC 12 Arcton 6 Electra-CF 12 Eakiron 12 Frigen 12 Gentron 12 Isceon 122 Kaiser Chemicals 12 Lodon 12 Ucon 12 Freon 12 Propellant 12 Refrigerant 12 Fluorcarbon 12 RCRA Waste Number U075 Difluorodichloromethane Methane, dichlorodifluoro-	75718 or 75-71-8 NIOSH: PA 8200000 SAX: DFA600	Toxin	---	---	3.75	6,900	0.05	0.5
p,p'-Dichlorodiphenyl Dichloroethane --- TDE DDD Dilene NCI C00475 Rothane Rhothane 4,4'-DDD p,p'-DDD p,p'-TDE 4,4'-D-DDD RCRA Waste Number U060 Tetrachlorodiphenylethane Dichlorodiphenyldichloroethane Dichlorodiphenyl Dichloroethane 2,2-bis(4-Chlorophenyl)-1,1-Dichloroethane 1,1-Dichloro-2,2-bis(p- Chlorophenyl) Ethane 1,1-bis(4-Chlorophenyl) 2,2-Dichloroethane 2,2-bis(p- Chlorophenyl)-1,1-Dichloroethane Benzene, 1,1'(2,2-Dichloroethylidene)Bis(4-Chloro-	72548 or 72-54-8 NIOSH: KJ 0700000 SAX: BDM500	Carcinogen	---	---	53,600	0.00083	N/A	0.01
p,p'-Dichlorodiphenyldichloroethylene --- DDE p,p'-DDE 4,4'-DDE NCI C00555 Dichlorodiphenyldichloroethylene Dichlorodiphenyldichloroethylene, p,p'- 2,2'- bis(4-Chlorophenyl)-1,1-Dichloroethylene 1,1'-(Dichloroethenylidene)bis(4- Chlorobenzene) 2,2'-bis(p-Chlorophenyl)-1,1-Dichloroethylene Benzene, 1,1'- (Dichloroethenylidene)Bis(4-Chloro-	72559 or 72-55-9 NIOSH: KV 9450000 SAX: BDM750	Carcinogen	---	---	53,600	0.00059	N/A	0.01

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
p,p'-Dichlorodiphenyltrichloroethane -- DDT 4,4'-DDT Agrian Anoflex Arkotine Azotox Bosan Supra Bovidermol Chlorophenoxan Chlorophenothane Chlorophenotoxum Citox Clofenotane Dodelo Chlorophenothane Diphenyltrichloroethane Dichlorodiphenyltrichloroethane 4,4'-Dichlorodiphenyltrichloroethane Dichlorodiphenyltrichloroethane, p,p'- 1,1,1-Trichloro-2,2-bis(p-Chlorophenyl) Ethane 1,1,1-Trichloro-2,2-bis(p-Chlorophenyl)Ethane 1,1,1-Trichloro-2,2-Di(4- Chlorophenyl) Ethane 1,1-Bis-(p-Chlorophenyl)-2,2,2-Trichloroethane 2,2-Bis-(p- Chlorophenyl)-1,1,1-Trichloroethane Benzene, 1,1'-(2,2,2-Trichloroethylidene)Bis(4- Chloro-) alpha,alpha-Bis(p-Chlorophenyl) beta,beta,beta-Trichloroethane	50293 or 50-29-3 NIOSH: KJ 3325000 SAX: DAD200	Carcinogen	0.55	0.001	53,600	0.00059	N/A	0.06
1,1-Dichloroethane Vinylidene Chloride VDC 1,1-DCE NCI C04535 1,1-Dichloroethene Vinylidene Chloride 1,1-Dichloroethylene Ethene, 1,1-Dichloro- Vinylidene Dichloride Ethylidene Dichloride Dichloroethylene, 1,1- RCRA Waste Number U076 Ethylene, 1,1- Dichloro- Chlorinated Hydrochloric Ether	75343 or 75-34-3 NIOSH: KI 0175000 SAX: DFF809	Carcinogen	--	--	--	--	N/A	0.5
1,2-Dichloroethane -- EDC Brocide 1,2-DCE NCI C00511 Dutch Oil Dutch Liquid Dichloromulsion Di-Chlor-Mulsion 1,2-Bichloroethane 1,2-Dichloroethane Ethene Dichloride Ethylene Chloride 1,2-Bichloroethane Ethylene Dichloride Dichloroethane, 1,2- Ethane, 1,2-Dichloro- RCRA Waste Number U077 1,2-Ethylene Dichloride alpha,beta-Dichloroethane	107062 or 107-06-2 NIOSH: KI 0525000 SAX: DFF900	Carcinogen	--	--	1.2	0.38	N/A	0.5
1,1-Dichloroethene Vinylidene Chloride VDC 1,1-DCE Sconatex NCI C54262 1,1-Dichloroethane 1,1-Dichloroethene Vinylidene Chloride 1,1-Dichloroethylene Vinylidene Dichloride Ethene, 1,1-Dichloro- Vinylidene Chloride II RCRA Waste Number U078 Dichloroethylene, 1,1- Ethylene, 1,1-Dichloro-	75354 or 75-35-4 NIOSH: KV 9275000 SAX: DFI000	Carcinogen	--	--	5.6	0.57	N/A	0.5
cis-1,2-Dichloroethylene -- 1,2-Dichloroethylene cis-Dichloroethylene cis-1,2-Dichloroethene 1,2,cis-Dichloroethylene ethylene, 1,2-Dichloro-, (z)-	156592 or 156-59-2 NIOSH: KV 9420000 SAX: DFI200	Toxin	--	--	--	70	0.002	0.5
trans-1,2-Dichloroethylene -- trans-Dichloroethylene RCRA Waste Number U079 trans-1,2-Dichloroethane trans-1,2-Dichloroethene Dichloroethylene, trans- trans-Acetylene Dichloride 1,2-trans-Dichloroethylene Ethene, 1,2-Dichloro-, (E) 1,2-Dichloroethylene, trans-	156605 or 156-60-5 NIOSH: KV 9400000 SAX: DFI600	Toxin	--	--	1.58	100	0.05	0.5

Except where indicated, values are listed as micro-grams per liter (µg/L).

A '---' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (14)		Bioconcentration Factor (B.C.F.) (5)	Human Health Standards (6) (17) (19)	Trigger Level (12)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Dichloromethane (HM) Methylene Chloride R 30 DCM Freon 30 Aerotherm MM NCI C50102 Solmethine Methylene Chloride Methane Dichloride Methane, Dichloro- 1,1-Dichloromethane Methylene Bichloride Methylene Dichloride	75092 or 75 09-2 NIOSH: PA 8050000 SAX: MDR000	Carcinogen	---	---	0.9	4.7	N/A	0.5
2,4-Dichlorophenol --- DCP 2,4-DCP NCI C55345 Dichlorophenol, 2,4- Phenol, 2,4 Dichloro RCRA Waste Number U081	120832 or 120-83-2 NIOSH: SK 8575000 SAX: DFX600	Harmful	---	---	40.7	0.3 (n)	N/A	10
2,4-Dichlorophenoxyacetic Acid --- 2,4-D Salvo Phenox Farmco Amidox Miracle Agrotect Weedrol Herbidal Ded-Wood Lawn Keep Fernimine Crop Rider Aqua-Kleen Dichlorophenoxyacetic Acid 2,4-Dichlorophenoxy Acetic Acid Dichlorophenoxyacetic Acid, 2,4- Acetic Acid, (2,4-Dichlorophenoxy)- 2,4-Dichlorophenoxyacetic Acid, salts and esters	94757 or 94-75-7 NIOSH: AO 6825000 SAX: DFY600	Toxin	---	---	---	70	0.2	1
1,2-Dichloropropane --- NCI C55141 Propylene Chloride Propylene Dichloride Caswell Number 324 Propane, 1,2 Dichloro α,β Propylene Dichloride α,β -Dichloropropane RCRA Waste Number U083 EPA Pesticide Chemical Code 029002	78875 or 78 87-5 NIOSH: TX 9625000 SAX: DGF600	Toxin	---	---	4.11	0.52	0.01	0.5
1,3-Dichloropropene Telone II Telone NCI C03985 Vidden D Dichloropropene α -Chloroallyl Chloride γ -Chloroallyl Chloride Dichloropropene, 1,3- 1,3-Dichloropropylene 1,3-Dichloro-2-Propene Propene, 1,3-Dichloro- Telone II Soil Fumigant 3-Chloropropenyl Chloride α,β,γ -Dichloropropylene	542756 or 542-75-6 NIOSH: UC 8310000 SAX: CEF750	Toxin	---	---	1.91	10	0.5	0.5
cis-1,3-Dichloropropene Telone II 1,3-Dichloropropene 1,3-Dichloropropylene (Z)-1,3-Dichloropropene cis-1,3-Dichloropropylene 1-Propene, 1,3-Dichloro-, (Z)-	10061015 or 10061-01-5 NIOSH: UC 8325000 SAX: DGH200	Toxin	---	---	1.91	10	0.01	0.5
trans-1,3-Dichloropropene Telone II 1,3-Dichloropropene 1,3-Dichloropropylene (E)-1,3-Dichloropropene trans-1,3-Dichloropropylene 1-Propene, 1,3-Dichloro-, (E)-	10061026 or 10061-02-6 NIOSH: UC 8320000 SAX: DGH000	Toxin	---	---	1.91	10	0.05	0.5

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(a)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Dieldrin — Alvit Quintox Octalox Illoxol Dioldrex NCI C00124 Dieldrite SIIA 045001 RCRA Waste Number P017 1,4,5,8-Dimethanonaphthalene Hexachloroepoxyoctahydro-endo,exo-Dimethanonaphthalene 3,4,5,6,9,9- Hexachloro-1a,2,2a,3,6,6a,7,7a-Octahydro-2,7:3,6-Dimethanonaphth(2,3-b)Oxirene 2,7:3,6-Dimethanonaphth(2,3-b)Oxirene, 3,4,5,6,9,9-Hexachloro-1a,2,2a,3,6,6a,7,7a- Octahydro- 1,2,3,4,10,10-Hexachloro-6,7-Epoxy-1,4,4a,5,6,7,8,8a-Octahydro- Endo,Exo-1,4,5,8-Dimethanonaphthalene	60571 or 60-57-1 NIOSH: IO 1750000 SAX: DHB400	Carcinogen	1.25	0.0019	4,670	0.00014	N/A	0.02
Diethyl Phthalate — Anozol Neantine Solvanol NCI C60048 Placidole E Ethyl Phthalate Diethylphthalate Diethyl-o-Phthalate RCRA Waste Number U088 1,2-Benzenedicarboxylic Acid, Diethyl Ester	84662 or 84-66-2 NIOSH: TI 1050000 SAX: DJX000	Toxin	—	—	73	21,000	0.25	0.25
Dimethyl Phthalate — DMP NTM ENT 262 Mipax Avolin Fermine Solvanom Solvarone Palatinol M Methyl Phthalate Dimethylphthalate Phthalic Acid, Dimethyl Ester Dimethyl Benzene-o-Dicarboxylate Dimethyl 1,2- Benzenedicarboxylate 1,2-Benzenedicarboxylic Acid, Dimethyl Ester	131113 or 131-11-3 NIOSH: TI 1575000 SAX: DTR200	Toxin	—	—	36	310,000	0.04	0.25
2,4-Dimethylphenol — m-Xylenol 2,4-Xylenol 4,6-Dimethylphenol Carwell Number 907A 2,4-Dimethyl Phenol Phenol, 2,4-Dimethyl- RCRA Waste Number U101 1-Hydroxy-2,4-Dimethylbenzene 4-Hydroxy-1,3-Dimethylbenzene EPA Pesticide Chemical Code 086804	105679 or 105-67-9 NIOSH: ZE 5600000 SAX: XKJ500	Harmful	—	—	93.8	400	N/A	10
4,6-Dinitro-o-Cresol — Detal Sinox DNOC Arborol Capaine Dinitrol Trifocide Antinonin Winterwash Dinitroresol Dinitro-o-Cresol Carwell Number 390 2,4-Dinitro-o-Cresol Dinitro-o-Cresol, 4,6- o-Cresol, 4,6-dinitro- RCRA Waste Number P047 2-Methyl-4,6-Dinitrophenol 4,6-Dinitro-2-Methylphenol 2,4-Dinitro-6-Methylphenol 3,5-Dinitro-2- Hydroxytoluene Phenol, 2-Methyl-4,6-Dinitro-	534521 or 534-52-1 NIOSH: GO 9625000 SAX: DUT400	Toxin	—	—	5.5	13	16	50
2,4-Dinitrophenol — Nitro Aldifen Kleenup 2,4-DNP Chemox PE Marmox-50 Soflo Black B alpha-Dinitrophenol Dinitrophenol, 2,4- Phenol, 2,4-Dinitro Tetra sulphur Black PB RCRA Waste Number P048 1-Hydroxy-2,4- Dinitrobenzene	51285 or 51-28-5 NIOSH: SL 2800000 SAX: DUZ000	Toxin	—	—	1.5	70	13	50

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
2,4-Dinitrotoluene -- 2,4-DNT NCI C01865 2,4-Dinitrotoluol Toluene, 2,4-Dinitro- RCRA Waste Number U105 Benzene, 1-Methyl-2,4-Dinitro-	121142 or 121-14-2 NIOSH: XT 1575000 SAX: DVH000	Carcinogen	---	---	3.8	0.11	N/A	10
2,6-Dinitrotoluene -- 2,6-DNT 2 Methyl-1,3-Dinitrobenzene RCRA Waste Number U106	606202 or 606-20-2 NIOSH: XT 1925000 SAX: DVH400	Toxin	---	---	---	---	0.01	---
Dinoseb -- DNBP DRNF Arest Basanite Celdon Sporic Kil-seb Spurge Premerge Dinitro Hel Fire SHA 037505 Dow General Sinox General RCRA Waste Number P020 Dow General Weed Killer Vertac General Weed Killer 2-sec-Butyl-4,6-Dinitrophenol Dinitro-Ortho-Sec-Butyl Phenol 2-(1-Methylpropyl)-4,6-Dinitrophenol 4,6-Dinitro-2-(1-Methyl-n-Propyl)Phenol Phenol, 2-(1-Methylpropyl)-4,6-Dinitro-	88857 or 88-85-7 NIOSH: SJ 9800000 SAX: BRES00	Toxin	---	---	7	0.19	1.5	
Dioxin -- TCDD TCDBD NCI C03714 Dioxine Tetradoxin 2,3,7,8-TCDD 2,3,7,8-Tetrachlorodibenzo-p-Dioxin 2,3,7,8-Tetrachlorodibenzo-1,4-Dioxin Dibenzof[b,e][1,4]Dioxin, 2,3,7,8-Tetrachloro-	1746016 or 1746-01-6 NIOSH: HP 3500000 SAX: TAI000	Carcinogen	---	---	5,000	0.000000013	N/A	1
1,2-Diphenylhydrazine -- Hydrazobenzene NCI C01854 N,N'-Bianiline Benzene, Hydrazodi- RCRA Waste Number U109 (sym)-Diphenylhydrazine Diphenylhydrazine, 1,2- Hydrazine, 1,2-Diphenyl-	122667 or 122-66-7 NIOSH: MW 2625000 SAX: HHQ000	Carcinogen	---	---	24.9	0.04	N/A	10
Diquat -- Actor Feglox Deiquat Reglone Aquacide Dextrone Paraquat Progluva SHA 032201 Weedtrine-D Diquat Dibromide Ethylene Dipyridylum Dibromide 1,1'-Ethylene 2,2'-Dipyridylum Dibromide 5,6-Dihydro- Dipyrido(1,2a,1c)Pyrazinium Dibromide 9,10-Dihydro-8a,10a- Diazoniaphenanthrene(1,1'-Ethylene-2,2'-Bipyridylum)Dibromide	85007 or 85-00-7 NIOSH: JM 5690000 SAX: DWX800	Toxin	---	---	---	20	0.44	10

Except where indicated, values are listed as micro-grams-per liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(a)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (9)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Guthion -- -- DBD -- NCI C00066 -- Carfene -- Goshnion -- Azinphos -- Cryshyon -- Gusathion -- Bay 17147 -- Methylazirphos -- Methyl Guthion -- Methyl-Guthion -- Azinphos Methyl -- Azinphos Methyl -- Caswell Number 374 -- EPA Pesticide Chemical Code 058001 -- o,o-Dimethylphosphorodithioate S-Ester -- 3- Mercaptomethyl-1,2,3-Benzotriazin-4(3H)-One -- Benzotriazinethiophosphonic Acid Dimethoxy Ester -- 3-Dimethoxyphosphinodimethyl-1,2,3-Benzotriazin-4(3H)-One -- Phosphorodithioic Acid, O,O-Dimethyl Ester, S-Ester with 3-(Mercaptomethyl)-1,2,3- Benzotriazin-4(3H)-One	86500 or 86 50-0 NIOSH: TE 1925000 SAX: ASH500	Toxin	--	0.01	--	--	--	--
Hardness, total --	N/A	Narrative (18)	--	--	--	--	N/A	1,000
Heptachlor -- -- NCI C00180 -- Driox -- Heptamul -- Agroceris -- Heptagran -- SHA 04481 -- Rhodiachlor -- Velsicol 104 -- RCRA Waste Number P059 -- 3,4,5,6,7,8,8a- heptachlorodicyclopentadiene -- Dicyclopentadiene, 3,4,5,6,7,8,8a-Heptachloro- -- 1,4,5,6,7,8,8 Heptachloro-3a,4,7,7a-Tetrahydro-4,7-Methanol-1H-Indene -- 4,7- Methano-1H-Indene, 1,4,5,6,7,8,8-Heptachloro-3a,4,7,7a-Tetrahydro- -- 1(3a),4,5,6,7,8,8-Heptachloro-3a(1),4,7,7a-Tetrahydro-4,7-Methanoindene	76448 or 76-44-8 NIOSH: PC 0700000 SAX: HAR000	Carcinogen	0.26	0.0038	11,200	0.00021	N/A	0.2
Heptachlor Epoxide -- -- HCE -- Velsicol 53-CS-17 -- Epoxyheptachlor -- 1,4,5,6,7,8,8 Heptachloro-2,3- Epoxy-2,3,3a,4,7,7a-Hexahydro-4,7-Methanoindene -- 2,5-Methano-2H- Indeno[1,2b]Oxirene, 2,3,4,5,6,7,7-Heptachloro-1a,1b,5,5a,6,6a-Hexahydro- (alpha, beta, and gamma isomers)	1024573 or 1024-57-3 NIOSH: PB 9450000 SAX: EBW500	Carcinogen	0.26	0.0038	11,200	0.0001	N/A	0.1
Hexachlorobenzene -- -- HCB -- Amlatin -- Smut-Go -- Sanocide -- Anticarie -- Bunt-Cure -- Bunt-No- More -- Perchlorobenzene -- Phenyl Perchloryl -- No Bunt Liquid -- Julin's Carbon Chloride -- Co-op Hexa -- Hexa C.B. -- Benzene, Hexachloro-	118741 or 118-74-1 NIOSH: DA 2975000 SAX: HCC500	Carcinogen	--	--	8,690	0.00075	N/A	0.2
Hexachlorobutadiene -- -- HCBd -- Dolan Pur -- Perchlorobutadiene -- RCRA Waste Number U128 -- 1,3-Hexachlorobutadiene -- 1,3-Butadiene, Hexachloro- -- 1,1,2,3,4,4-Hexachloro- 1,3-Butadiene -- 1,3-Butadiene, 1,1,2,3,4,4-Hexachloro-	87683 or 87-68-3 NIOSH: EJ 0700000 SAX: PCP000	Carcinogen	--	--	2.78	0.44	N/A	10
Hexachlorocyclohexane -- -- BHC -- DBH -- HCH -- HCCH -- HEXA -- Hexylen -- Hexachlor -- Cammexane -- Hexachloran -- Compound 666 -- Benzenehexachloride -- Benzene Hexachloride	608731 or 608-73-1 NIOSH: GV 3150000 SAX: BBP750	Carcinogen	--	--	130	0.0039	N/A	0.1

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(a)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Ethylbenzene — EB NCI C56393 Ethylbenzol Phenylethane Ethyl Benzene Benzene, Ethyl	100414 or 100-41-4 NIOSH: DA 0700000 SAX: EOP500	Toxin	—	—	37.5	700	0.002	0.5
1,2-Dibromoethane Ethylene Dibromide DBE EDB Naphis Kipfume Celmdo E D Bre Soilfume Bromofume Dioxfume 40 SHA 042002 Pestmaster Soilbrom 40 Dibromoethane Ethylene Bromide Glycol Dibromide 1,2-Dibromoethane Dibromoethane, 1,2- 1,2-Ethylene Dibromide RCRA Waste Number U067	106934 or 106-93-4 NIOSH: KH 9275000 SAX: E1Y500	Carcinogen	—	—	—	0.05	N/A	0.5
Fluoranthene — Idyl Benzo(j,k)Fluorene Benzo(j,k)Fluorene 1,2-Benzacenaphthene RCRA Waste Number U120 1,2-(1,8-Naphthylene)Benzene Benzene, 1,2-(1,8- Naphthalenediyl)-	206440 or 206-44-0 NIOSH: LL 0425000 SAX: FDF000	Toxin with BCF > 300	—	—	1,150	300	N/A	10
Fluorene (PAH) — 9H Fluorene Diphenylenemethane o-Biphenylenemethane 2,2'-Methylenebiphenyl	86737 or 86-73-7 NIOSH: — SAX: —	Carcinogen	—	—	30	1,300	N/A	0.25
Fluorine Fluoride Fluoride Fluoride ⁽¹⁾ Perfluoride Fluoride Ion Fluorine, Ion Soluable Fluoride RCRA Waste Number P056 Hydrofluoric Acid, Ion(1-)	7782414 or 7782-41-4 NIOSH: LM 6475000 SAX: FEZ000	Toxin	—	—	—	4,000	5	100
Fluoride Fluorine Fluoride Fluoride ⁽¹⁾ Perfluoride Fluoride Ion Fluorine, Ion Soluable Fluoride RCRA Waste Number P056 Hydrofluoric Acid, Ion(1-)	16984488 or 16984-48-8 NIOSH: LM 6290000 SAX: FEX875	Toxin	—	—	—	4,000	5	100
Gamma Emitters (10) —	Multiple	Carcinogen / Radioactive	—	—	—	4 mrem ede/yr	N/A	—
Gases, dissolved, total-pressure (20) —	Multiple	Toxin	—	110% of saturation	—	—	—	—
Glyphosate — Jury Honcho Rattler Weedoff Roundup Glifonox o-(Phosphonomethyl)-Glycine Glycine, n-(Phosphonomethyl)- Glyphosate plus inert ingredients MON 0573	1071836 or 1071-83-6 NIOSH: MC 1075000 SAX: PHA500	Toxin	—	—	—	700	6	50
Glyphosate Isopropylamine Salt — SHA 103601	38641940 or 38641-94-0 NIOSH: — SAX: —	Toxin	—	—	—	700	6	50

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(n)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
alpha-Hexachlorocyclohexane — Benzene Hexachloride-α isomer α-BHC alpha-BHC HCH-alpha alpha-HCH alpha-Lindane α Hexachlorocyclohexane alpha-Benzenehexachloride Hexachlorocyclohexane-alpha alpha-Hexachlorocyclohexane Benzene Hexachloride-alpha-isomer alpha-1,2,3,4,5,6-Hexachlorocyclohexane Cyclohexane, alpha-1,2,3,4,5,6-Hexachloro- 1-alpha,2-alpha,3-beta,4-alpha,5-beta,6-beta-Hexachlorocyclohexane Cyclohexane, alpha-1,2,3,4,5,6-Hexachloro-, (1-alpha, 2-alpha, 3-beta, 4-alpha, 5-beta, 6-beta)-	319846 or 319-84-6 NIOSH: GV 3500000 SAX: BBQ000	Carcinogen	—	—	130	0 0039	N/A	0 1
beta-Hexachlorocyclohexane — β-BHC beta-BHC HCH-beta beta-HCH β-Lindane beta-Lindane beta-Hexachlorobenzene β Hexachlorocyclohexane Hexachlorocyclohexane-beta Hexachlorocyclohexane, beta- trans-alpha-Benzenehexachloride Benzenehexachloride, trans-alpha- beta-1,2,3,4,5,6-Hexachlorocyclohexane Cyclohexane, 1,2,3,4,5,6-Hexachloro-, beta- 1-alpha,2-beta,3-alpha,4-beta,5-alpha,6-beta-Hexachlorocyclohexane Cyclohexane, 1,2,3,4,5,6-Hexachloro-, (1-alpha, 2-beta, 3-alpha, 4-beta, 5-alpha, 6-beta)-	319857 or 319-85-7 NIOSH: GV 4375000 SAX: BBR000	Carcinogen	—	—	130	0 014	N/A	0 1
delta-Hexachlorocyclohexane — δ-BHC delta-BHC HCH-delta delta-HCH Δ-BHC Δ-Lindane delta-Lindane δ Hexachlorocyclohexane delta-Benzenehexachloride Hexachlorocyclohexane-delta Hexachlorocyclohexane, delta- Cyclohexane, delta-1,2,3,4,5,6-Hexachloro- delta-1,2,3,4,5,6-Hexachlorocyclohexane 1-alpha,2-alpha,3-alpha,4-beta,5-alpha,6-beta-Hexachlorocyclohexane Cyclohexane, delta-1,2,3,4,5,6-Hexachloro-, (1-alpha, 2-alpha, 3-alpha, 4-beta, 5-alpha, 6-beta)-	319868 or 319-86-8 NIOSH: GV 4550000 SAX: BFW500	Toxin	—	—	110	—	0 009	0 1
gamma-hexachlorocyclohexane Lindane ΓBHC γ BHC Gamene Lintox Lentoxx Hoxcide Aparsin Agrocide Alcide BHC-gamma gamma-BHC HCH-gamma gamma-HCH Γ Hexachlorocyclohexane gamma-Hexachlorobenzene gamma-Benzenehexachloride gamma-Benzene Hexachloride Hexachlorocyclohexane-gamma Hexachlorocyclohexane (gamma) Benzene Hexachloride-gamma isomer gamma-1,2,3,4,5,6-Hexachlorocyclohexane Cyclohexane, 1,2,3,4,5,6-Hexachloro-, gamma-isomer 1,2,3,4,5,6-Hexachlorocyclohexane, gamma-isomer 1-alpha,2-alpha,3-beta,4-alpha,5-alpha,6-beta-Hexachlorocyclohexane Cyclohexane, 1,2,3,4,5,6-Hexachloro-, (1-alpha, 2-alpha, 3-beta, 4-alpha, 5-alpha, 6-beta)	58899 or 58-89-9 NIOSH: GV 4900000 SAX: BBQ500	Carcinogen	1	0 08	110	0 019	N/A	0 1
Hexachlorocyclopentadiene — HEX HCP PCI C 56 HCCPD NCI C55607 Hexachloropentadiene RCRA Waste Number U130 Perchlorocyclopentadiene 1,3-Cyclopentadiene, 1,2,3,4,5,5-Hexachloro-	77474 or 77-47-4 NIOSH: GY 1225000 SAX: HCE500	Harmful	—	—	4 14	1	N/A	1

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(n)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (14)		Bioconcentration Factor (BCF) (15)	Human Health Standards (4) (17) (19)	Trigger Level (12)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Hexachloroethane — Avlotox Dintok Dintop Dintopin Egitol Fakiol Fasciolin NCI C04604 Phenohap Mottobex Perchloroethane Hexachloroethyleone Ethane, Hexachloro- Carbon Hexachloride Ethane Hexachloride Ethylene Hexachloride RCRA Waste Number U131 1,1,1,2,2,2-Hexachloroethane	67721 or 67-72-1 NIOSH: KI 4025000 SAX: HCK000	Carcinogen	—	—	86.9	1.9	N/A	10
Hydrogen Sulfide — Slink Damp Sulfur Hydride Hydrogen Sulphide Dihydrogen Sulfide Hydrosulfuric Acid Sulfurated Hydrogen RCRA Waste Number U135 Dihydrogen Monosulfide Hydrogen Sulfuric Acid	7783064 or 7783-06-4 NIOSH: MX 1225000 SAX: HIC500	Toxin	—	2	—	—	200	200
Indeno(1,2,3-cd)pyrene (PAH) — o-Phenylacetylene 2,3-Phenylacetylene 2,3-o-Phenylacetylene RCRA Waste Number U137 Indeno (1,2,3-cd) Pyrene 1,10-(o-Phenylene)Pyrene 1,10- (1,2-Phenylene)Pyrene	193395 or 193-39-5 NIOSH: NK 9300000 SAX: IBZ000	Carcinogen	—	—	30	0.00344	N/A	0.5
Iodine (10) I	Iodine 129 15046841 or 15046-84-1 NIOSH: — SAX: —	Carcinogen / Radioactive	—	—	—	4 mrem ede/yr	N/A	—
Iodine (10) I	Iodine 131 10043660 or 10043-66-0 NIOSH: — SAX: —	Carcinogen / Radioactive	—	—	—	4 mrem ede/yr	N/A	—
Iodine (10) I	Iodine 133 — NIOSH: — SAX: —	Carcinogen / Radioactive	—	—	—	4 mrem ede/yr	N/A	—
Iron (7) Fe Ancor EN 80/150 Carbonyl Iron Armco Iron	7439896 or 7439-89-6 NIOSH: NO 4565500 SAX: IOK800	Harmful	—	1,000	—	300	N/A	10
Isophorone — Isobutene NCI C55618 Isocetophorone alpha Isophorone 1,1,3-Trimethyl- 3-Cyclohexene-5-One 3,5,5-Trimethyl 2-Cyclohexene-1-One 3,5,5-Trimethyl 2- Cyclohexene	78591 or 78-59-1 NIOSH: OW 7700000 SAX: BHO000	Carcinogen	—	—	4.38	36	N/A	10
Lead (9) Pb C.I. 77575 C.I. Pigment Metal 4 Glover Lead Flake Lead 22 Omaha Omaha & Grant SI SO	7439921 or 7439-92-1 NIOSH: OF 7525000 SAX: LCF000	Toxin	82 @ 100 mg/l hardness (12)	3.2 @ 100 mg/l hardness (12)	49	15	0.1	1

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(n)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Malathion — Formal Sumitox Emmatos Celthion Forthion Malaside Kop Thion Calnathion Carbethoxy NCI C00215 Carbethoxy Malathion SHA 057701 Phosphothion S 1,2-Bis(Ethoxycarbonyl)Ethyl O,O Dimethyl Thiophosphate O,O Dimethyl S (1,2-Dicarbethoxyethyl) Dithiophosphate O,O-Dimethyl S-1,2- Di(Ethoxycarbonyl)Ethyl Phosphorodithioate Succinic Acid, mercapto-, diethyl ester, S Ester with O,O Dimethyl Phosphorodithioate	121755 or 121-75-5 NIOSH: WM 8400000 SAX: CBI7000	Toxin	—	0.1	—	—	—	—
Manganese (M) Mn Colloidal Manganese Magnacat Tronamang	7439965 or 7439-96-5 NIOSH: OO 9275000 SAX: MAP750	Harmful	—	—	—	50	N/A	5
Mercury (M) Hg Colloidal Mercury Mercury, Metallic NCI C60399 Quick Silver RCRA Waste Number U151	7439976 or 7439-97-6 NIOSH: OV 4550000 SAX: MCW250	Toxin with BCF >300	2.4	0.012	5,500	0.14	N/A	0.2
Methoxychlor — DMDT Metox Moxie Methoxide NCI C00497 Methoxy DDT Dimethoxy DDT RCRA Waste Number U247 1,1,1-Trichloro-2,2-Bis(p- Methoxyphenyl)Ethane Benzene, 1,1'-(2,2,2-Trichloroethylidene)Bis[4-Methoxy- 1,1'-(2,2,2-Trichloroethylidene)Bis[4-Methoxybenzene] Ethane, 1,1,1-Trichloro-2,2- Bis(p-Methoxyphenyl)-	72435 or 72-43-5 NIOSH: KJ 3675000 SAX: DOB400	Toxin	—	0.03	—	40	0.04	1
Methyl Chloride Chloromethane Arctic Monochloromethane RCRA Waste Number U045	74873 or 74-87-3 NIOSH: PA 6300000 SAX: CHX500	Toxin	—	—	3.75	—	0.08	—
Mirex — NCI C06428 Dechlorane Bichlorendo Ferriamicide Perchloropentacyclodecane Dodecachloropentacyclodecane Hexachlorocyclopentadiene Dimer Cyclopentadiene, Hexachloro-, Dimer Perchloropentacyclo(5.2.1.0[up.2,6]0[up.3,9]0[up.5,8])Decane Dodecachlorooctahydro-1,3,4-Metheno-2H-Cyclobuta (c,d)Pentalene 1,1a,2,2,3,3a,4,5,5a,5b,6-Dodecachlorooctahydro-1,3,4-Metheno-1H- Cyclobuta(cd)Pentalene 1,3,4-Metheno-1H-Cyclobuta(cd)Pentalene, 1,1a,2,2,3,3a,4,5,5a,5b,6-Dodecachlorooctahydro-	2385855 or 2385-85-5 NIOSH: PC 8225000 SAX: MQW500	Toxin	—	0.001	—	—	0.01	0.1
Naphthalene — Mighty 150 NCI C52904 Naphthene White Tar Moth Balls Naphthalin Tar Camphor Caswell Number 587 RCRA Waste Number U165 EPA Pesticide Chemical Code 055801	91203 or 91-20-3 NIOSH: QJ 0525000 SAX: NAJ500	Toxin	—	—	10.5	—	0.04	10

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Nickel (n) §§ Ni § C.I. 77775 § Ni 270 § Nickel 270 § Ni 0901-S § Ni 4303T § NP 2 § Raney Alloy § Raney Nickel	7440020 or 7440-02-0 NIOSH: QR 5950000 SAX: NCW500	Toxin	1,400 @ 100 mg/l hardness (17)	160 @ 100 mg/l hardness (17)	47	100	0.5	20
Nitrate (as Nitrogen[N]) §§ NO ₃	14797558 or 14797-55-8 NIOSH: — SAX: —	Toxin	(n)	(n)	—	10,000	10	10
Nitrite (as Nitrogen[N]) §§ NO ₂	14797650 or 14797-65-0 NIOSH: — SAX: —	Toxin	(n)	(n)	—	1,000	4	10
Nitrate plus nitrite (as Nitrogen[N]) §§ NO ₃ + NO ₂	17778880 or 17778-88-0 NIOSH: — SAX: —	Toxin/Harmful	(n)	(n)	—	10,000	10	10
Nitrobenzene §§ — § NCI C60082 § Mirbane Oil § Nitrobenzol § Oil of Mirbane § Benzene, Nitro- § Essence of Myrbane § RCRA Waste Number U169	98953 or 98-95-3 NIOSH: DA 6475000 SAX: NEX000	Toxin	—	—	2.89	17	1.9	10
o-Nitrophenol §§ — § 2-Nitrophenol § 2-Hydroxynitrobenzene	88755 or 88-75-5 NIOSH: SM 2100000 SAX: NIE500	Toxin	—	—	2.33	—	0.45	—
4-Nitrophenol §§ — § 4-Hydroxynitrobenzene § NCI C55992 § p-Nitrophenol (DOT) § RCRA Waste Number U170	100027 or 100-02-7 NIOSH: SM 2275000 SAX: NIF000	Toxin	—	—	3.31	—	2.4	—
N-Nitrosodi-n-Propylamine §§ — § DPN § DPNA § NDPA § Dipropylnitrosamine § N-Nitrosodipropylamine § Di-n-Propylnitrosamine § RCRA Waste Number U111 § Dipropylamine, N-Nitroso- § N-Nitrosodi-n-propylamine § N-Nitroso-di-n-propylamine § 1-Propanamine, N- Nitroso-n-Propyl-	621647 or 621-64-7 NIOSH: JL 9700000 SAX: DWU600	Carcinogen	—	—	1.13	0.005	N/A	10
N-Nitrosodimethylamine §§ Dimethylnitrosamine § DMN § NDMA § DMNA § Nitrosodimethylamine § Dimethylnitrosamine § N-Nitrosodimethylamine § RCRA Waste Number P082 § N,N-Dimethylnitrosamine § Methylamine, N-Nitroso- § Dimethylamine, N-Nitroso- § N-Methyl N- Nitrosomethanamine § Methamine, N-Methyl-N-Nitroso- § Methanamine, N-Methyl N- Nitroso-	62759 or 62-75-9 NIOSH: IQ 0525000 SAX: DSY400	Carcinogen	—	—	0.026	0.00069	N/A	10

Except where indicated, values are listed as micro-grams per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
N-Nitrosodiphenylamine -- NDPA NDPbA Vultrol Curetard A NCI C02880 Radax TJP Retarder Vulcaltex A Vulcaltard Vultrol Nitrosodiphenylamine Diphenylnitrosamine N,N-Diphenylnitrosamine N-Nitroso-N-Phenylaniline Diphenylamine, N-Nitroso- Benzenamine, N-Nitroso-N-Phenyl-	86306 or 86-30-6 NIOSH: JJ 9800000 SAX: DW1000	Carcinogen	---	---	136	5	N/A	10
N-Nitrosopyrrolidene -- NPYR NO-pyr N,N-pyr 1-Nitrosopyrrolidene Pyrrolidine, 1-Nitroso- RCRA Waste Number U180 Tetrahydro-N-Nitrosopyrrole Pyrrole, Tetrahydro- N-Nitroso-	930552 or 930-55-2 NIOSH: UY 1575000 SAX: NI P500	Carcinogen	---	---	0.055	0.017	N/A	10
Odor (13) --	N/A	Harmful	---	---	---	---	N/A	---
Oxamyl -- D-1410 DPX 1410 Insecticide-Nematicide 1410 Vydate Thioxamyl Methyl 2-(Dimethylamino)-N- Vydate L, Insecticide/Nematicide (([Methylamino]Carbonyl)Oxy)-2-Oxoethanimidobioate 2-Dimethylamino-1- (Methylidio)Glyoxal O-Methylcarbamoylmonozime 5-Methyl 1-Dimethylcarbamoyl)-N ((Methylcarbamoyl)Oxy)Thioformimidate Methyl N',N'-Dimethyl-N- ((Methylcarbamoyl)Oxy)-1-Thiooxamimidate N',N'-Dimethyl-N- [(Methylcarbamoyl)oxy]-1-Methylthiooxamimidic Acid	23135220 or 23135-22-0 NIOSH: RP 2300000 SAX: DSP600	Toxin	---	---	---	200	1	1
Oxygen, dissolved (28) O ₂ Oxygen, Compressed Oxygen, Refrigerated Liquid	7782447 or 7782-44-7 NIOSH: RS 2060000 SAX: OQW000	Toxin	(13) (15)	(15)	---	---	50	100
Parathion -- DNTP Niren Phostkil Paradust Suthion Strathion Pestox Plus Nitrosigmine Parathion Ethyl Parathion-ethyl Ethyl Parathion Diethylparathion Caswell Number 637 RCRA Waste Number P089 EPA Pesticide Chemical Code 057501 Diethyl 4-Nitrophenylphosphorothioate Diethyl para-Nitrophenyl Thiophosphate Diethyl p-Nitrophenyl Monothiophosphate O,O- Diethyl O-4-Nitrophenyl Thiophosphate Phosphorothioic Acid, O,O-Diethyl O-(4- Nitrophenyl) Ester	56182 or 56-38-2 NIOSH: TF 4920000, dry TF 4950000, liquid SAX: PAK250, dry SAX: PAK260, liquid	Toxin	0.065	0.013	---	---	0.06	1
Pentachlorobenzene -- QCB Benzene, Pentachloro- RCRA Waste Number U181	608935 or 608-93-5 NIOSH: DA 6640000 SAX: PAV500	Toxin with BCF > 100	---	---	2,125	3.5	N/A	0.1

Except where indicated, values are listed as micro-gram-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(a)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (9)	Human Health Standards (6) (17) (18)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Pentachlorophenol II -- PCP Penta Durotox Weedone Chem-Tol Laxtol A NCI C54933 NCI C55378 NCI C56655 Permate Dowcide 7 Permacide Penta-Kil Permagard Puschlorol Chlorophen Pentachlorophenol Pentachlorophenolo Thompson's Wood Fix Phenol Pentachloro 2,3,4,5,6-Pentachlorophenol 1-Hydroxy- 2,3,4,5,6-Pentachlorobenzene	87865 or 87 86-5 NIOSH: SM 6300000 SAX: PAX250	Carcinogen	20 @ pH of 7.8 (14)	13 @ pH of 7.8 (14)	11	0.28	N/A	0.05
pH (13) II --	N/A	Harmful - Surface Narrative - Ground	--	--	--	--	N/A	--
Phenanthrene (PAH) II -- Phenanthra	85018 or 85-01-8 NIOSH: SF 7175000 SAX: PCW250	Toxin	--	--	30	--	0.01	0.25
Phenol II -- Baker's P and S Liquid and Ointment NCI C50124 Benzenol Monophenol Oxybenzene Phenic Acid Carboic Acid Phenylic Acid Hydroxybenzene Hydroxybenzene Phenyl Alcohol Phenyl Hydrate Phenylic Alcohol Phenyl Hydroxide Benzene, Hydroxy- Monohydroxybenzene RCRA Waste Number U188	108952 or 108-95-2 NIOSH: SJ 3325000 SAX: PDN750	Harmful	--	--	1.4	300	N/A	10
Phosphorus, inorganic (7) (28) II -- Ortho-phosphorus phosphorus, Ortho-	14265442 or 14265 44-2 NIOSH: -- SAX: --	Harmful	(8)	(8)	--	--	1	1
Picloram II -- ATCP K-Pic Tordon Borolin Amdon Grazon NCI C00237 Tordon 10K Tordon 22K Tordon 101 Mixture 3,5,6-Trichloro-4-Aminopicolinic Acid 4-Amino-3,5,6-Trichloropicolinic Acid	1918021 or 1918-02-1 NIOSH: TJ 7525000 SAX: AMU250	Toxin	--	--	--	500	0.14	1
Pyrene (PAH) II -- 8-Pyrene beta-Pyrene Benzo(def)Phenanthrene Benzo[de]Phenanthrene	129000 or 129-00-0 NIOSH: UR 2450000 SAX: PON250	Carcinogen	--	--	30	960	N/A	0.25
Radium 226 II --	Radium 226 13982636 or 13982 63-6 NIOSH: -- SAX: --	Carcinogen / Radioactive	--	--	--	20 picocuries/liter. Note: The sum of Radium 226 and 228	N/A	--
Radium 228 II --	Radium 228 15262201 or 15262 20-1 NIOSH: -- SAX: --	Carcinogen / Radioactive	--	--	--	20 picocuries/liter. Note: The sum of Radium 226 and 228	N/A	--

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Radon 222 11 ---	14859677 or 14859-67-7 NIOSH: --- SAX: ---	Carcinogen / Radioactive	---	---	---	300 picocuries/liter	N/A	---
Sediment, settleable solids, oils, grease, or floating solids (28) 11 --- Methylene Blue Active Substances	N/A	Harmful (13)	---	---	---	---	N/A	---
Sediment, settleable solids, oils, grease, or floating solids (28) 11 --- Residue, non-filterable	N/A	Harmful (13)	---	(24)	---	---	N/A	---
Sediment, settleable solids, oils, grease, or floating solids (28) 11 --- Residue, non-settleable	N/A	Harmful (13)	---	(24)	---	---	N/A	---
Sediment, settleable solids, oils, grease, or floating solids (28) 11 --- Settleable matter	N/A	Harmful (13)	---	(24)	---	---	N/A	---
Sediment, settleable solids, oils, grease, or floating solids (28) 11 --- Oil & Grease	N/A	Harmful (13)	---	(23)	---	---	N/A	---
Sediment, settleable solids, oils, grease, or floating solids (28) 11 --- Total Organic Carbon	N/A	Harmful (13)	---	(23)	---	---	N/A	---
Sediment, settleable solids, oils, grease, or floating solids (28) 11 --- Hydrocarbons	N/A	Harmful (13)	---	(23)	---	---	N/A	---
Selenium (9) 11 Se C.I. 77805 Colloidal Selenium Elemental Selenium Selenium Alloy Selenium Base Selenium Dust Selenium Elemental Selenium Homopolymer Selenium Metal Powder, Non Pyrophoric Vandex	7782492 or 7782-49-2 NIOSH: VS 7700000 VS 8310000, colloidal SAX: SBO500 SAX: SBJ000, colloidal	Toxin	20	5	6	50	0.6	1
Silver (9) 11 Ag Argentum C.I. 77820 Shell Silver Silver Atom	7440224 or 7440-22-4 NIOSH: VW 3500000 SAX: SD1500	Toxin	4 l @ 100 mg/l hardness (17)	---	0.5	---	0.2	1
Simazine 11 --- CDT Herbex Framed Bitamol Radokor A 2079 Batazine Cat (Herbicide) CET G 27692 Grgy 27,692 Osearon Oseatop 50 Simazine BOW Synazine Taphazine W 6658 Zeapur Princep Aquazone Herbazin Tafazine 2,4 bis(Ethylamino) 6-Chloro a Triazine 1-Chloro, 3,5-Bisethylamino 2,4,6 Triazine 2-Chloro-4,6-Bis(Ethylamino)-1,3,5 Triazine 6-Chloro-N,N' Diethyl 1,3,5 Triazine 2,4 Diylidiamine	122349 or 122-34-9 NIOSH: XY 5250000 SAX: BJP000	Carcinogen	---	---	---	4	N/A	0.3

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "—" indicates that a Standard has not been adapted or information is currently unavailable.

A "(a)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (U) (3)	Aquatic Life Standards (16)		Bioconcentration Factor (HCF) (9)	Human Health Standards (16) (17) (19)	Trigger Level (12)	Required Reporting Limit (19)
			Acute (2)	Chronic (4)				
Strontium 89 (18) —	14158271 or 14158-27-1 NIOSH: — SAX: —	Carcinogen / Radioactive	—	—	—	4 mreim ede/yr. Note: the sum of the dosage from Strontium 89 plus 90 cannot exceed this value.	N/A	—
Strontium 90 (18) —	10098972 or 10098-97-2 NIOSH: — SAX: —	Carcinogen / Radioactive	—	—	—	4 mreim ede/yr. Note: the sum of the dosage from Strontium 89 plus 90 cannot exceed this value.	N/A	—
Styrene — Styrol Cinnamol Cinnamene Cinnamopol NCI C02200 Styrole Strolene Styro Stropor Vinylbenzol Phenethylene Phenylethene Vinylbenzene Ethenylbenzene Phenylchylene Benzene, Vinyl- Styrene, Monomer	100425 or 100-42-5 NIOSH: WL 3675000 SAX: SMQ000	Toxin	—	—	—	100	0.008	0.5
Sulfate SO ₄	14808798 or 14808-79-8 NIOSH: — SAX: SNS000	Narrative (18)	—	—	—	—	N/A	1,000
Temperature (13) —	N/A	Harmful	—	—	—	—	N/A	—
1,2,4,5-Tetrachlorobenzene — RCRA Waste Number U207 Tetrachlorobenzene, 1,2,4,5- Benzene, 1,2,4,5-Tetrachloro-	95943 or 95 94-3 NIOSH: DB 9450000 SAX: TBN750	Toxin with BCP >300	—	—	1,125	2.3	N/A	0.1
1,1,1,2-Tetrachloroethane — TCE Calion Westron Bonoform Tetrachloroethane sym-Tetrachloroethane RCRA Waste Number U209 Acetylene Tetrachloride Tetrachloroethane, 1,1,1,2- Ethane, 1,1,2,2-Tetrachloro- 1,1-Dichloro-2,2-Dichloroethane	79145 or 79-34-5 NIOSH: KJ 8575000 SAX: ACK500	Carcinogen	—	—	5	0.17	N/A	0.5
Tetrachloroethylene — NCI C04580 PCE Perk PERC ENMA Dow-Per Perchlor Perclene Perklone Didakene Tetra Cap Percosolve Perchlorethylene Perchloromethylene Tetrachloroethene Carbon Bichloride Carbon Dichloride RCRA Waste Number U210 Ethylene Tetrachloride Edylene, Tetrachloro- 1,1,2,2-Tetrachloroethylene	127184 or 127-18-4 NIOSH: KX 3850000 SAX: TBQ250	Carcinogen	—	—	30.6	0.8	N/A	0.5
Thallium (9) TI Rattor	7440280 or 7440-28-0 NIOSH: XO 3425000 SAX: TFI000	Toxin	—	—	119	1.7	0.3	1

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A "-" indicates that a Standard has not been adapted or information is currently unavailable.

A "(n)" indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Toluene -- Antisol 1a NCI C07272 Toluol Tolu Sol Methacide Methylbenzol Methylbenzene Phenylmethane Phenyl Methane Methyl Benzene Benzene, Methyl RCRA Waste Number U220	10883 or 108-88-3 NIOSH: X9 5250000 SAX: TOK750	Toxin	--	--	10.7	1,000	0.01	0.5
Total dissolved solids (28) TDS Solids, total dissolved	Multiple	Narrative (18)	--	--	--	--	N/A	10,000
Toxaphene -- Anac 4.2 Allux Alltex Atac 6 Toxakil Agricide Chem-Phene Chlor Chem T 590 Compound 3956 Crestox Estunox Geniphene Gy-Phene Hercules 3956 Melipax Mutox PCC Phenacide Phenatox Toxadum Camphochlor Maggot Killer (F) Toxaphene mixture Chlorinated Camphene Camphene, Octachloro- RCRA Waste Number P123	8001352 or 8001-35-2 NIOSH: XW 5250000 SAX: T1H750	Carcinogen	0.73	0.0002	13,100	0.00073	N/A	1
1,2,4-Trichlorobenzene -- unsym-Trichlorobenzene Trichlorobenzene, 1,2,4- Benzene, 1,2,4-Trichloro-	120821 or 120-82-1 NIOSH: DC 2100000 SAX: TIK250	Toxin	--	--	114	70	0.02	0.5
1,1,1-Trichloroethane -- α-T Strobane Inhibisol 1,1,1-TCE Tri-Ethane Solvent III Aerchene TT Chloroethene Chloron NCI C04626 Methylchloroform Methyl Chloroform Chloroform, Methyl- 1,1,1-Trichloroethene alpha- Trichloroethane Methyltrichloromethane RCRA Waste Number U226 Trichloroethane, 1,1,1- Ethane, 1,1,1-Trichloro-	71556 or 71-55-6 NIOSH: KJ 2975000 SAX: TDM750	Carcinogen	--	--	5.6	200	N/A	0.5
1,1,2-Trichloroethane -- α-T Vinyl Trichloride Ethane Trichloride beta-Trichloroethane 1,2,2-Trichloroethane RCRA Waste Number U227 Trichloroethane, 1,1,2- NCI C04579 Ethane, 1,1,2-Trichloro- Carwall Number 875A [NLM] EPA Pesticide Chemical Code 081203 [NLM]	79005 or 79-00-5 NIOSH: KJ 3150000 SAX: TIN000	Carcinogen	--	--	4.5	0.61	N/A	0.5
Trichloroethylene -- TCE Triel Vitran Alglyen Dow-Tri Lanadin Vestrol Anamenh Benzinol Tri-Plus Tri-Clene Trichlorethene Trichloroethene Trichloromethane Trichloroethylene Tetrachloroethene Ethene, Trichloro- Ethylene Trichloride Ethylene, Trichloro- Acetylene Trichloride 1,1,2- Trichloroethylene 1,2,2 Trichloroethylene 1-Chloro-2,2-Dichloroethylene 1,1- Dichloro-2-Chloroethylene	79016 or 79-01-6 NIOSH: KX 4550000 SAX: TIO750	Carcinogen	--	--	10.6	2.7	N/A	0.5

Except where indicated, values are listed as micro-grams-per-liter (µg/L).

A '-' indicates that a Standard has not been adopted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (16)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Trichlorofluoromethane (HM) -- F 11 FC 11 Freon 11 Arcton 9 Eskimon 11 Halocarbon 11 Algothane Type 1 RCRA Waste Number U121 Fluorocarbon Number 11 NCL C04637 Isotron 11 Fluorotrichloromethane Isacon 131 Monofluorotrichloromethane Ucon Refrigerant 11 Trichloromonofluoromethane	75694 or 75 69-4 NIOSH: PB 6125000 SAX: TIF500	Toxin	--	--	3 75	10,000	0.07	0.5
2,4,5-Trichlorophenol -- Nurelle Dowcide B Dowcide 2 Collunoxol Preventol 1 Trichlorophenol, 2,4,5- RCRA Waste Number U230 NCL C61187	95954 or 95 95-4 NIOSH: SN 1400000 SAX: TIV750	Harmful	--	--	110	1	N/A	10
2,4,6-Trichlorophenol -- Omal Dowcide 25 Phenachlor RCRA Waste Number U231 Trichlorophenol, 2,4,6- Phenol, 2,4,6-trichloro- NCL C02904	88062 or 88 06-2 NIOSH: SN 1575000 SAX: TIV000	Carcinogen	--	--	150	2 1	N/A	10
2 (2,4,5-Trichlorophenoxy) Propionic Acid -- Kuren Propon Silver Aqua-Vex Dead-Weed Sta-Fast 2,4,5-TP Color-Sol Weed-B-Gon Double Strength RCRA Waste Number U233 2,4,5-Trichlorophenoxypropionic Acid α(2,4,5-Trichlorophenoxy)Propionic Acid 2-(2,4,5-Trichlorophenoxy)-Propionic Acid Trichlorophenoxy Propionic Acid, 2 (2,4,5- (+/-)-2-(2,4,5-Trichlorophenoxy)propanoic Acid	93721 or 93 72-1 NIOSH: UF 8225000 SAX: TDX500	Toxin	--	--	--	10	0.075	0.1
Trihalomethanes, total -- TTHMs	Multiple	Carcinogen	--	--	--	100	N/A	2
Tritium (10) H ³	10028178 or 10028 17 8 NIOSH: -- SAX: --	Carcinogen / Radioactive	--	--	--	4 mrem ede/yr	N/A	--
Turbidity (13) (20) --	N/A	Harmful	--	--	--	--	N/A	1 FTU
Uranium, natural U Uranium Metal, Pyrophoric	7440611 or 7440 61-1 NIOSH: YR 3490000 SAX: UNS000	Carcinogen / Radioactive	--	--	--	30 picocuries per liter	N/A	--
Vinyl Chloride -- VC VCM Chlorothene Chloroethene Chloroethylene Chloroethylene Ethylene, Chloro- Monochloroethylene Ethylene Monochloride RCRA Waste Number U043 Vinyl Chloride Monomer Vinyl C Monomer Trividur	75014 or 75 01-4 NIOSH: KU 9625000 SAX: VNI000	Carcinogen	--	--	1 17	2	N/A	0.5

Except where indicated, values are listed as micro-grams-per-liter (ug/L).

A '-' indicates that a Standard has not been adapted or information is currently unavailable.

A '(n)' indicates that a detailed note of explanation is provided.

Pollutant Element / Chemical Compound or Condition	CASRN, NIOSH and SAX Numbers (25) (26) (27)	Category (1) (2)	Aquatic Life Standards (10)		Bioconcentration Factor (BCF) (5)	Human Health Standards (6) (17) (19)	Trigger Level (22)	Required Reporting Limit (19)
			Acute (3)	Chronic (4)				
Xylenes -- Xylol Violet 3 Mixed Xylenes Methyl Toluene Dimethylbenzene RCRA Waste Number U239 NCI C55232 Total equals the sum of meta, ortho, and para	1330207 or 1330-20-7 NIOSH: ZE 2100000 SAX: XGS000	Toxin	--	--	--	10,000	0.5	1.5
Xylenes -- Xylol Violet 3 Mixed Xylenes Methyl Toluene Dimethylbenzene RCRA Waste Number U239 Total equals the sum of meta, ortho, and para.	1330207 or 1330-20-7 NIOSH: ZE 2100000 SAX: XGS000	Toxin	--	--	--	10,000	0.5	1.5
Xylenes -- Xylol Violet 3 Mixed Xylenes Methyl Toluene Dimethylbenzene RCRA Waste Number U239 Total equals the sum of meta, ortho, and para.	1330207 or 1330-20-7 NIOSH: ZE 2100000 SAX: XGS000	Toxin	--	--	--	10,000	0.5	1.5
m-Xylene -- m-Xylol 1,3-Xylene meta-Xylene m-Dimethylbenzene m-Methyltoluene 1,3-Dimethylbenzene 1,3-Dimethyl Benzene	108383 or 108-38-3 NIOSH: ZE 2275000 SAX: XHA000	Toxin	--	--	--	10,000	0.004	1.5
o-Xylene -- o-Xylol 1,2-Xylene ortho-Xylene o-Methyltoluene o-Dimethylbenzene 1,2-Dimethylbenzene 1,2-Dimethyl Benzene	95476 or 95-47-6 NIOSH: ZE 2450000 SAX: XHU000	Toxin	--	--	--	10,000	0.004	1.5
p-Xylene -- p-Xylol Chromar Scintillar 1,4-Xylene para-Xylene p-Methyltoluene p-Dimethylbenzene 1,4-Dimethylbenzene 1,4-Dimethyl Benzene	106423 or 106-42-3 NIOSH: ZE 2625000 SAX: XHS000	Toxin	--	--	--	10,000	0.002	1.5
Zinc (n) Zn Blue Powder C.I. 77945 C.I. Pigment Black 16 C.I. Pigment Metal 6 Emanay Zinc Dust Granular Zinc Jaad Merrillite Pasco Zinc Powder or Dust, non-Pyrophoric Zinc, Powder or Dust, Pyrophoric	7440666 or 7440-66-6 NIOSH: ZG 8600000 SAX: ZBJ000	Toxin	120 @ 100 mg/l hardness (17)	110 @ 100mg/l hardness (17)	47	5,000	5	10

DETAILED NOTES OF EXPLANATION

Frequently used Acronyms:

§§ abc...	Name of Primary Synonym as listed in the EPA's data base IRIS.
§ abc...	Name of Additional Synonyms from various sources including IRIS.
BCF	Bio-concentration Factor.
CFR	Code of Federal Regulations.
EDE/YR	Effective dose equivalent per year.
E.P.A.	Environmental Protection Agency.
FPH	A factor in the formula for determining ammonia Standards for Freshwater Aquatic Life.
FT	A factor in the formula for determining ammonia Standards for Freshwater Aquatic Life.
HM	Halomethanes.
MDL	Method Detection Limit. The MDL is calculated from the standard deviation of replicate measurements, and is defined as the minimum concentration of a substance that can be identified, measured, and reported with 99% confidence that the analyte concentration is greater than zero.
MREM	Milli Roentgen-Equivalent-Man.
N/A	Not applicable.
n.d.	Not determined.
PAH	Polynuclear Aromatic Hydrocarbons.
PCB	Polychlorinated Biphenyls.
TCAP	A factor in the formula for determining ammonia Standards for Freshwater Aquatic Life

DETAILED NOTES OF EXPLANATION

- (1) Based on EPA's categories and include parameters determined to be toxic (toxin), carcinogenic (carcinogen), or harmful. Harmful parameters include nutrients, biological agents, and those parameters which cause taste and/or odor effects or physical effects.
- (2) Carcinogens: chemicals classified by EPA as carcinogens for an oral route of exposure; Standards are based upon the incremental risk of causing one additional instance of cancer in one million persons. Includes those parameters in classifications A (Human Carcinogen), B1 or B2 (Probable Human Carcinogens), and C (Possible Human Carcinogen).
- (3) No sample shall exceed these concentrations.
- (4) No four-day (96-hour) or longer period average concentration shall exceed these values.
- (5) All bioconcentration factors (BCF's) were developed by the EPA as part of the Standards development as mandated by Section 304(a) of the Federal Clean Water Act. Values shown are current as of 07/01/1993.
- (6) No sample shall exceed these concentrations.

Standards for metals (except aluminum) in surface water are based upon the analysis of samples following a "total recoverable" digestion procedure (Section 9.4, "Methods for Analysis of Water and Wastes", 1983, Environmental Monitoring and Support Laboratory, U.S. Environmental Protection Agency, EPA-600/4-79-020, or equivalent).

Standards for metals in ground water are based upon the dissolved portion of the sample (after filtration through a 0.45 µm membrane filter, as specified in "Methods for Analysis of Water and Wastes", 1983, Environmental Monitoring and Support Laboratory, U.S. Environmental Protection Agency, EPA-600/4-79-020, or equivalent).

For aluminum, both surface and ground water analyses will be based on the dissolved method of analysis.

- (7) Freshwater Aquatic Life Standards for ammonia (mg/l NH₃) are expressed as a function of pH and temperature. The Acute equation and the Chronic equation are as follows:

$$\begin{array}{llll}
 \text{Acute}^1 = 0.52/\text{FT}/\text{FPH}/2 & \text{where} & \text{FT} & = 10^{0.0X30-\text{TCAP}} & \text{if } \text{TCAP} \leq T \leq 30 \\
 & & & = 10^{0.0X30-T} & \text{if } 0 \leq T < \text{TCAP} \\
 & & \text{FPH} & = 1 & \text{if } 8 \leq \text{pH} \leq 9 \\
 & & & = (1 + 10^{7-\text{pH}})/1.25 & \text{if } 6.5 \leq \text{pH} < 8 \\
 & & \text{TCAP} & = 20^\circ \text{C} & \text{if Salmonids or other sensitive cold-water species present.} \\
 & & & = 25^\circ \text{C} & \text{if Salmonids and other sensitive cold-water species absent.}
 \end{array}$$

DETAILED NOTES OF EXPLANATION

¹ The usual Acute averaging period of one hour is not appropriate if excursions of concentrations to greater than 1.5 times the average occur during the hour; in such cases, a shorter averaging period will be required. To convert these values to mg/l N, multiply by 0.822.

Chronic² = 0.80/FT/FPH/RATIO where FT and FPH are as above and:

	RATIO = 13.5	if $7.7 \leq \text{pH} \leq 9$
	= $20(10^{7.7-\text{pH}}/1 + 10^{7-\text{pH}})$	if $6.5 \leq \text{pH} < 7.7$
TCAP	= 15° C	if Salmonids/other sensitive cold-water species present.
	= 20° C	if Salmonids/other sensitive cold-water species absent.

² Because these formulas are non-linear in pH and temperature, the Standard is the average of separate evaluations of the formulas reflective of the fluctuations of flow, pH, and temperature within the averaging period; it is not appropriate to apply the formula to average pH, temperature and flow. To convert these values to mg/l N, multiply by 0.822.

(8) A plant nutrient, *

(9) Approved methods of sample preservation, collection, and analysis for determining compliance with the standards set forth in

- 1) 40 CFR Part 136 "Guidelines Establishing Test Procedures For the Analysis Of Pollutants", July 1, 1992, and;
- 2) The Environmental Protection Agency's (EPA) Methods for the Determination of Metals in Environmental Samples, EPA/600/4-91/010, dated June 1991, or equivalent, as determined by the Department, as follows:

- use Method 200.2, Sample Preparation Procedure for Spectrochemical Determination of Total Recoverable Elements for the following elements:

• Aluminum	• Antimony	• Arsenic	• Barium	• Beryllium	• Cadmium	• Chromium, total	• Copper	• Iron	• Lead
• Manganese	• Mercury, total	• Nickel	• Phosphorus	• Selenium	• Silver	• Thallium	• Zinc		
- use Method 218.6, Determination of Dissolved Hexavalent Chromium in Drinking Water, Groundwater, and Industrial Wastewater Effluents by Ion Chromatography for the following elements:
 - Chromium VI
- use Method 245.3, Determination of Inorganic Mercury (II) and Selected Organomercurials in Drinking Water and Ground Water by High Performance Liquid Chromatography (HPLC) with Electrochemical Detection (ECD) for the following elements:
 - Mercury, organic

DETAILED NOTES OF EXPLANATION

- (10) Radionuclide photon-emitters consisting of either beta or gamma emitters and are classified as carcinogenic. Their associated Standard is based upon a 4 mrem ede/yr exposure. This exposure is based upon daily ingestion of 2 liters of water. The emitters covered under this Standard are:

• Cesium, radioactive • Iodine, radioactive • Strontium -89 and -90, radioactive • Tritium • Gamma photon emitters

- (11) Chemicals which are not individually classified as carcinogens but which are contained within a class of chemicals with carcinogenicity as the basis for the Standard derivation for that class of chemicals; an individual carcinogenicity assessment for these chemicals is pending.

- (12) Freshwater Aquatic Life Standards for these metals are expressed as a function of total hardness (mg/l, CaCO₃). The values displayed in the chart correspond to a total hardness of 100 mg/l. The hardness relationship is as follows:

	Acute = $\exp\{ma[\ln(\text{hardness})] + ba\}$		Chronic = $\exp\{mc[\ln(\text{hardness})] + bc\}$	
	ma	ba	mc	bc
cadmium	1.128	-3.828	0.7852	-3.490
copper	0.9422	-1.464	0.8545	-1.465
chromium (III)	0.8190	3.688	0.8190	1.561
lead	1.273	-1.460	1.273	-4.705
nickel	0.8460	3.3612	0.8460	1.1645
silver	1.72	-6.52	-----	-----
zinc	0.8473	0.8604	0.8473	0.7614

Note: If the hardness is <25mg/L as CaCO₃, the number 25 will be used in the calculation. If the hardness is greater than or equal to 400 mg/L of CaCO₃, 400 mg/L will be used in the calculation.

- (13) Conditional limitations based upon Water-Use Classifications.

- (14) Freshwater Aquatic Life Standard for pentachlorophenol are expressed as a function of pH. Values displayed in the chart correspond to a pH of 7.8 and are calculated as follows:

$$\text{Acute} = \exp[1.005(\text{pH}) - 4.830]$$

$$\text{Chronic} = \exp[1.005(\text{pH}) - 5.290]$$

DETAILED NOTES OF EXPLANATION

(15) Freshwater Aquatic Life Standard for dissolved oxygen are as follows:

	<u>Standards for Waters Classified A-1, B-1, B-2, C-1, and C-2</u>		<u>Standards for Waters classified B-3, C-3, and I</u>	
	Early Life Stages ^{1,2}	Other Life Stages	Early Life Stages ²	Other Life Stages
30 Day Mean	N/A ³	6.5	N/A ³	5.5
7 Day Mean	9.5 (6.5)	NA	6.0	NA
7 Day Mean Minimum	N/A ³	5.0	N/A ³	4.0
1 Day Minimum ^{4,5}	8.0 (5.0)	4.0	5.0	3.0

¹ These are water column concentrations recommended to achieve the required inter grave dissolved oxygen concentrations shown in parentheses. For species that have early life stages exposed directly to the water column, the figures in parentheses apply.

² Includes all embryonic and larval stages and all juvenile forms to 30 days following hatching.

³ N/A (Not Applicable).

⁴ For highly manipulatable discharges, these values shall not be exceed for more than three weeks/year.

⁵ All minima should be considered as instantaneous concentrations to be achieved at all times.

(16) Aquatic Life Standards apply to surface waters only.

DETAILED NOTES OF EXPLANATION

- (17) For surface waters the Standard is the more restrictive of either the Aquatic Life Standard or the Human Health Standard. For groundwaters the standards are based on the dissolved portion (after filtration through a 0.45 micro filter) of the contaminating substance as specified in the EPA publication, EPA 600/4-79-020, "Methods for Chemical Analysis of Water and Wastes."
- (19) The required reporting level is the Department's best determination of a level of analysis that should be achieved in routine sampling. It is based on levels actually achieved at both commercial and government laboratories in Montana using accepted methods. 'Reporting Level' is the detection level that must be achieved in reporting ambient or compliance monitoring results to the Department. Higher detection levels may be used if it has been demonstrated that the higher detection levels will be less than 10% of the expected level of the sample.
- (20) Applicable to surface waters only.
- (21) Applicable to ground waters only.
- (22) Method Detection Levels (MDL's) are used as "Trigger Levels" whenever they are available. Estimated Detection Levels (EDL's) are used as "Trigger Levels" whenever MDL's are unavailable. Trigger Levels are used to determine whether-or-not a given increase in the concentration of Toxic parameters is significant or non-significant as per the non-degradation rules.
- (23) Levels of individual petrochemicals in the water column should not exceed 0.010 of the lowest continuous flow 96-hour LC₅₀ to several important freshwater species, each having a demonstrated high susceptibility to oils and petrochemicals.
- (24) Settleable and suspended solids should not reduce the depth of the compensation point for photosynthetic activity by more than 10 percent from the seasonally established norm for aquatic life.
- (25) CASRN is an acronym for the American Chemical Society's Chemical Abstracts Service Registry Number.
- (26) NIOSH RTECS number is a unique number used for accession to the National Institute For Occupational Safety and Health (NIOSH) Registry of Toxic Effects of Chemical Substances.
- (27) SAX number in the format AAA123 is a unique number for identification of materials in the Dangerous Properties of Industrial Materials, authors N. Irving Sax and Richard J. Lewis, publisher Van Nostrand Reinhold

**CONFEDERATED SALISH
AND KOOTENAI TRIBES
WATER QUALITY
MANAGEMENT ORDINANCE
89-B**

WATER QUALITY MANAGEMENT ORDINANCE

TABLE OF CONTENTS

<u>SECTION</u>		<u>PAGE NO.</u>
CHAPTER 1		
General Provisions		
Part 1		
Policies and Procedures		
1-1-101.	Policy and Purpose.....	1
1-1-102.	Definitions.....	2
1-1-103.	Public Participation -- Administrative Procedures.....	7
1-1-104.	Public and Confidential Records.....	8
1-1-105.	Cooperation and Agreements with Agencies and Private Organizations.....	9
1-1-106.	Severability.....	10
1-1-107.	Effective Date.....	10
1-1-108.	Repealer.....	10
Part 2		
Pollution Control Revolving Fund (Reserved)		
Chapter 2		
Administration		
Part 1		
Organization		
1-2-101.	Natural Resources Department.....	11
1-2-102.	Powers of the Department.....	11
1-2-103.	Duties of the Department.....	12
1-2-104.	Emergencies.....	16
Part 2		
Classification and Standards		
1-2-201.	Classification of Reservation Waters.....	16
1-2-202.	Reconsideration and Revision of Classification.....	18
1-2-203.	Scope of Water Quality Standards.....	18
1-2-204.	Interim Standards.....	18
1-2-205.	Discharge of Toxic Pollutants Prohibited.....	19
1-2-206.	Antidegradation Policy.....	19
1-2-207.	Standards to Be Based on Measurable Characteristics.....	20
1-2-208.	Consideration in Recommending Water Quality Standards.....	21

1-2-209.	Recommendations for Standards Based on Statistical Methods.....	22
1-2-210.	Review and Revisions of Standards.....	22

Part 3 Regulations Controlling Discharges

1-2-301.	Scope of Control Regulations.....	23
1-2-302.	Consideration in Recommending Rules to Control Discharges.....	23
1-2-303.	Rules for Wasteload Allocations and Total Maximum Daily Loads.....	24

Part 4 Assessment Reports, Continuous Planning Process and Management Plans

1-2-401.	Assessment Reports.....	25
1-2-402.	Continuous Planning Process.....	27
1-2-403.	Comprehensive Water Quality Management Plan.....	28

Chapter 3 Permitting, Certification, Penalties and Remedies

Part 1 Permitting and Certification

1-3-101.	Permits Required for Discharge of Pollutants.....	30
1-3-102.	Administration of Permits.....	30
1-3-103.	Relationship to Federal NPDES Permits.....	31
1-3-104.	Applications for Permits.....	31
1-3-105.	Incomplete Applications.....	32
1-3-106.	Review, Notice and Comment on Applications for Discharges by New Sources.....	32
1-3-107.	Review, Notice and Comment on Applications for Existing Sources.....	33
1-3-108.	Time for Issuance or Denial of Permits.....	34
1-3-109.	Permit Rules and Conditions.....	34
1-3-110.	Permit Issuance.....	36
1-3-111.	Runoff and Return Flows.....	37
1-3-112.	Limitations on Permit Issuance.....	37
1-3-113.	Procedures upon Modification or Denial of Permit.....	38
1-3-114.	Variances.....	38
1-3-115.	Permit Fees.....	39
1-3-116.	Prohibition of Discharge of Sewage From Vessels.....	40
1-3-117.	Marine Sanitation Devices on Houseboats.....	40

1-3-118.	Underground Fuel Storage (Reserved).....	41
1-3-119.	Certification.....	41

Part 2 Prohibition, Civil Penalties, and Remedies

1-3-201.	Prohibited Activity.....	41
1-3-202.	Notification of Unpermitted Discharges -- Penalty.....	42
1-3-203.	Spill Contingency Plan.....	43
1-3-204.	Cleanup Orders.....	43
1-3-205.	Action by Other Parties.....	44
1-3-206.	Notice of Alleged Violation.....	44
1-3-207.	Hearing Procedures for Alleged Violations.....	45
1-3-208.	Suspension or Revocation of Permit.....	45
1-3-209.	Cease and Desist Orders.....	46
1-3-210.	Compliance Orders.....	46
1-3-211.	Injunctions Authorized.....	46
1-3-212.	Civil Penalties Remedies Cumulative.....	47
1-3-213.	Costs and Expenses -- Recovery by the Department.....	47
1-3-214.	Intervention.....	48

ORDINANCE
OF THE TRIBAL COUNCIL OF THE
CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD RESERVATION

BE IT ENACTED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION that the quality of the water resources of the Flathead Reservation be protected, restored, and maintained as provided in the following Ordinance, which may be referred to as the Tribal Water Quality Management Ordinance and which may be codified as Title I of the Tribal Water Code.

WATER QUALITY MANAGEMENT

Chapter 1
General Provisions

Part 1
Policies and Procedures

1-1-101. Policy and Purpose. It is the policy of the Tribal Council and the purpose of this Ordinance to:

(1) restore and maintain the chemical, physical, and biological integrity of the waters of the Flathead Reservation to preserve and enhance the Reservation environment as the permanent homeland of the people of the Confederated Salish and Kootenai Tribes and to implement the rights reserved by the Tribes and

guaranteed to them by the United States in the 1855 Treaty of Hellgate (Treaty with the Flatheads, etc., 12 Stat. 765);

(2) conserve Reservation waters by protecting, maintaining, and improving the quality of water for public water supplies, wildlife, fish and aquatic life, recreation, agriculture, industry, and other beneficial uses;

(3) prohibit the discharge of toxic pollutants and, by the year 2000, eliminate the discharge of all unpermitted pollutants into Reservation waters;

(4) achieve a quality of all surface waters of the Reservation by the year 2000 adequate to provide for the protection and propagation of indigenous populations of fish and wildlife and to provide for water-based recreation;

(5) provide for public participation in the development, revision, and enforcement of any regulation, standard, effluent limitation, or plan established under this Ordinance;

(6) cooperate with, and, where appropriate, enter into agreements with federal, state, regional, and local agencies, private organizations, and individuals to improve or restore the quality of Reservation waters; and to

(7) provide a comprehensive program for the prevention, abatement, and control of water pollution within the Flathead Reservation.

1-1-102. Definitions. Unless the context otherwise requires, the following definitions will apply throughout this Title:

(1) "Agency" means any executive department, division, bureau, or other unit of the federal, state, or Tribal

government, or political subdivision of the state, or a regional water quality entity, which has been granted lawful authority to enter into contracts or agreements and which has been assigned or is subject to legal obligations to restore, maintain, or protect water quality in the drainage of the Flathead River or its tributaries.

(2) "Best management practices" ("BMP's") means schedules of activities, operational practices, maintenance procedures, and other management practices adopted by rule or incorporated by an agency as a condition of a permit or contract to prevent or reduce the pollution of Reservation waters. BMP's may also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

(3) "Concentrated animal feeding operation" means a confined commercial facility containing livestock or birds fed by means other than grazing, and which facility is a point source subject to effluent standards and limitations as provided by rule.

(4) "Concentrated aquatic animal production facility" means a fish hatchery, fish farm, beaver farm, or other facility which may be designated by rule as a point source upon determining that it is a significant contributor of pollution to Reservation waters.

(5) "Contamination" means impairment of the quality of Reservation waters by pollutants, creating a hazard to human health.

(6) "Construction" means any placement, assembly, or installation of facilities or equipment (including contractual obligations to purchase such facilities or equipment) at the premises where such equipment will be used, including preparation work at the site.

(7) "Department" means the Tribal Natural Resources Department.

(8) "Discharge of a pollutant" or "discharge" means any addition of a pollutant or combination of pollutants to Reservation waters from any point source.

(9) "Disposal system" means a system for disposing of sewage, industrial wastes, or other pollutants and includes sewage systems and treatment works.

(10) "Effluent limitation" means any restriction or prohibition established under this Title or by the Environmental Protection Agency on quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources into Reservation waters, including, but not limited to, standards of performance for new sources, and schedules of compliance.

(11) "Industrial waste" means any waste substance from processes used by business or industry or from the development of any natural resource, together with any sewage that may be present.

(12) "Irrigation return flow" means tailwater, drainage water, or surfaced groundwater flow from irrigated land.

(13) "New source" means any source the construction of which is commenced after the publication of proposed Tribal rules establishing an applicable standard of performance or any source which is defined as a new source by federal law.

(14) "Nonpoint source" means any activity of man which contributes or may contribute pollutants to Reservation waters by drainage, diffuse flows, erosion, diversion, or pumping and which is not a point source. Nonpoint sources include, without limitation: agricultural, silvicultural, and timber harvesting activities, including runoff from fields and crop and forest lands; mining activities, including runoff and siltation from new, currently operating, and abandoned surface and underground mines; all construction activity, including runoff from the facilities resulting from such construction; the disposal of pollutants in wells or in subsurface excavations; salt water intrusion resulting from reductions of fresh water flow from any cause, including extraction of groundwater, irrigation, obstruction, and diversion; and changes in the movement, flow, or circulation of any surface waters or groundwaters, including changes caused by the construction of dams, levees, channels, or flow diversion facilities.

(15) "Owner or operator" means any person who owns, leases, operates, controls, or supervises

(a) a source, or

(b) real property, the operation or maintenance of which is subject to the application of best management practices.

(16) "Permit" means a permit issued pursuant to Chapter 3 of this Title.

(17) "Person" means an individual, association, partnership, corporation, commercial or professional establishment, firm, agency, or any agent or employee thereof.

(18) "Point source" means any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, dam gate or spillway, well, discrete fissure, container, rolling stock, or vessel or other floating craft from which pollutants are or may be discharged.

(19) "Pollutant" means dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, wrecked or discarded equipment, rock, sand, or any industrial, municipal, or agricultural waste.

(20) "Reservation waters" means all the waters, surface or subsurface, arising upon, occurring within or flowing through the Flathead Indian Reservation including, without limitation, geothermal waters, irrigation return flows, diffuse surface water, and the waters of wetlands.

(21) "Schedule of compliance" means a schedule of remedial measures and times including an enforceable sequence of actions or operations leading to compliance with any Tribal or federal regulation of discharges by point sources or pollution by nonpoint sources.

(22) "Sewage" means water-carried waste products from residences, public buildings, institutions, commercial

establishments, or other buildings, including discharge from human beings or animals, together with groundwater and surface water present.

(23) "Sewage system" means a device for collecting or conducting sewage, industrial wastes, or other wastes to an ultimate disposal point.

(24) "Source" means any building, structure, facility, or installation from which there is or may be a discharge of pollutants.

(25) "Standard of performance" means a standard adopted by rule for the control of the discharge of pollutants which reflects the greatest degree of effluent reduction achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

(26) "Treatment works" means works or facilities installed for treating or holding sewage, industrial wastes, or other wastes.

(27) "Water quality standard" means any standard adopted pursuant to Section 1-2-204.

1-1-103. Public Participation -- Administrative Procedures.

(1) Except as otherwise provided in this Title, the Tribal Administrative Procedures Ordinance (TAPO), Ordinance No. 86A, will apply to all information, rulemaking, and contested cases arising under this Title.

(2) For purposes of public notice, hearings, and participation, the rulemaking provisions of TAPO in Part IV will apply to the proposal, adoption, and revision of stream classifications, water quality standards, effluent limitations, and management plans under this Title, as well as to the proposal, adoption, modification and revocation of rules.

(3) A public hearing shall be electronically recorded and a transcript made available to any interested person upon payment of the costs of transcription, or, if already transcribed, upon payment of a reasonable per-page copying cost.

1-1-104. Public and Confidential Records. (1) Except as otherwise provided in subsections (2) and (3) of this Section, information acquired by the Department under this Title will be subject to the information and privacy provisions of TAPO, Part III, Section 6.

(2) (a) Any information concerning sources of pollution, costs or methods of pollution prevention or control, and data describing the physical, chemical, biological, radiological, or thermal properties of Reservation waters, including wastewaters, discharges, and runoff, which is furnished to the Department or obtained by it is a matter of public record and open to inspection and copying, except as provided in subsection (3).

(b) The Department may use any information in compiling or publishing analyses or summaries relating to water pollution if such analyses or summaries do not identify any owner or operator of a source of pollution or reveal any information which is otherwise made confidential by subsection (3).

(3) Any information unique to the owner or operator of a source of pollution which would, if disclosed, reveal methods or processes entitled to protection as trade secrets shall be maintained as confidential if so determined by the Tribal Court. The owner or operator shall file a declaratory judgment action to establish the existence of a trade secret if he wishes such information to enjoy confidential status. The Department shall be served in any such action and may intervene as a party therein.

1-1-105. Cooperation and Agreement with Agencies and Private Organizations. (1) In planning and implementing plans for the prevention or reduction of water pollution, the Department will exchange information and cooperate with all agencies with responsibilities affecting water quality upstream and downstream of Reservation waters.

(2) The Department may participate in the activities of any intergovernmental organization producing or implementing water quality management plans affecting the drainage of the Flathead River or its tributaries and coordinate and harmonize its proposed water quality management plans with any regional management plan heretofore or hereafter adopted by such intergovernmental organization.

(3) With the approval of the Tribal Council, the Department may enter into contracts or agreements with agencies or with private, nonprofit organizations to prevent or reduce water pollution and attain relevant standards in the drainages of the Flathead or Clark Fork Rivers and their tributaries.

(4) As necessary, but no less often than quarterly, the Department will report to the Tribal Council on developments, progress, and problems in the process of intergovernmental cooperation, coordination, and information exchange.

1-1-106. Severability. The provisions of this Ordinance are severable, and a finding of invalidity of one or more provisions hereof shall not affect the validity of the remaining provisions.

1-1-107. Effective Date. This Ordinance and each provision hereof according to its terms shall take effect 90 days after its enactment or upon its approval by the Secretary of the Interior or his designee, whichever date shall earlier occur. With the exception of the Department's authority under Section 1-2-104, no permit, regulatory order or notice of violation shall be issued, nor any appealable agency action taken, until rules respecting the same are promulgated as provided in this Ordinance and in accordance with the Tribal Administrative Procedures Ordinance. Where such rules are subject to review and approval by the Environmental Protection Agency, such rules may not be deemed final rules on which a Departmental action may be based until such time as said rules are approved by the Environmental Protection Agency.

1-1-108. Repealer. Upon adoption and approval of this Ordinance by the Tribal Council and approval by the Secretary of the Interior or his designee, Tribal Ordinance 89A is repealed.

Part 2
Pollution Control Revolving Fund (Reserved)

Chapter 2
Administration

Part 1
Organization

1-2-101. Natural Resources Department. The provisions of this Ordinance will be primarily administered and enforced by the Natural Resources Department, which is hereby designated as the Tribal Water Pollution Control Agency for all purposes of the Federal Water Pollution Control Act (hereafter "Act").

1-2-102. Powers of the Department. The Department shall have the following powers:

(1) To recommend to the Council the adoption, modification, or repeal of rules to implement the provisions of this Title pursuant to Section 1-2-201 through 1-2-403;

(2) To enter and inspect at any reasonable time and in a reasonable manner any property, premise, or place for the purpose of investigating any activity causing, threatening or allowing water pollution, or ascertaining compliance or noncompliance with any rule or order promulgated under this Title. Such entry is also authorized for the purpose of inspecting and copying records required to be kept concerning any effluent source;

(3) If such entry is denied or not consented to, to obtain from the Tribal Court a warrant to enter and inspect such property, premise, or place, prior to entry and inspection;

(4) To issue emergency orders pursuant to Section 1-2-104 of this Title, and to bring or defend lawsuits in Tribal Court to enforce the provisions of this Title;

(5) To conduct or cause to be conducted studies, research, and demonstrations with respect to the reduction or prevention of water pollution;

(6) To furnish technical advice and services relating to water pollution problems and control techniques;

(7) To advise, consult, cooperate, and, with Council approval, to enter into agreements with agencies, private nonprofit corporations, and owners or operators affected by the provisions of this Title; but any agreement involving, authorizing, or requiring compliance within the Flathead Reservation with any standard, rule or regulation of another jurisdiction shall not be effective unless or until the Department and the Council have followed rulemaking requirements, including the holding of a hearing, and adopted rules in compliance with this Title;

(8) To certify, in accordance to the provisions of Section 1-3-118, facilities or activities subject to federal licensing requirements;

(9) To issue, modify, or revoke permits pursuant to Chapter 3 of this Title, and to grant or deny variances.

1-2-103. Duties of the Department. The Department shall have the following duties:

(1) To collect, compile, and analyze information relating to the physical, chemical, biological, radiological, and thermal

properties of Reservation waters and each distinguishable segment thereof;

(2) To monitor the quality of Reservation waters by sampling and testing for the presence of pollutants and for compliance with water quality standards. As a result of such sampling, the Department shall attempt to determine the nature and amount of each pollutant, the source of each pollutant, the place where each such pollutant enters the water, and the names and addresses of each person responsible for or in control of such entry. As to each separate pollution source identified, the Department shall:

(a) determine what rules, if any, are applicable;

(b) determine whether the discharge is covered by a permit and whether or not any condition of the permit is being violated, and

(c) determine what further control measures, if any, are practicable, including whether to recommend the adoption of a new or revised water quality standard for that water segment.

(3) To inspect, from time to time, but no less often than annually, records of owners or operators of point sources, to assure compliance with permit conditions;

(4) To initiate and maintain a continuous planning process to attain water quality standards, to reduce or prevent pollution of Reservation waters, and, where necessary to enhance water quality in order to attain water quality standards;

(5) Within eighteen months of the effective date of this title, to produce a recommended comprehensive water quality

management plan for public hearing and for the consideration of the Council. The first plan need not include a nonpoint source management plan, but shall otherwise meet the requirements of Sections 1-2-402 and 1-2-403;

(6) To produce and submit to the Council and to the Environmental Protection Agency, by April 1, 1992, the first report assessing Reservation water quality. At a minimum, the report will include a description of the operation of wastewater treatment plants, the identification and classification of pollution point sources, an assessment of the degree of eutrophication or other condition of Reservation lakes, an identification and classification of Reservation wetlands, and the projected attainment or non-attainment of water quality standards in classified water bodies. Such report shall include, with respect to wastewater treatment works serving 10 households or 40 or more persons, the following information:

(a) An identification and description of such works, including the ownership, size, number of users or connections to the system, the location of outflow and identification of the receiving waters, the type of treatment undertaken, and the name of the certified operator;

(b) If the treatment works are operating under a federal or state permit, the conditions of the permit, including any pretreatment standards, standards of performance, or effluent limitations;

(c) If the treatment works are not operating pursuant to a permit, a description of any self-imposed restraints on the

operations and a description of the physical, chemical, biological, radiological, and thermal characteristics of the discharges;

(d) Whether there is current planning for upgrading, enlarging, or renovating the treatment works or the disposal system with which the works are connected, and, if so, a copy of the plans;

(e) A priority ranking of the treatment works by the severity of the pollution discharged into receiving waters;

(f) The source(s) of funding for the construction of each facility, the proportionate mix of funds, the amount of any remaining obligation, and the method of repayment of any remaining obligation; and

(g) The rates paid by users and the method by which the rates are determined and assessed.

(7) To recommend to the Council the classification of Reservation waters. The types of classes and the particular class into which any discrete segment of Reservation waters is placed shall be promulgated by rule pursuant to Sections 1-2-201 and 1-2-202 of this Title;

(8) To recommend water quality standards to the Council for adoption as rules, pursuant to Sections 1-2-203 through 1-2-210;

(9) To recommend to the Tribal Council rules controlling discharges by point sources in accord with Sections 1-2-301 through 1-2-303;

(10) To recommend to the Council by April 1, 1993, a nonpoint source management plan pursuant to Section 1-2-403 to be

incorporated into the comprehensive water quality management plan; and

(11) To recommend to the Tribal Council rules to describe procedures and processes to control or prevent the pollution of lakes and wetlands.

1-2-104. Emergencies. Whenever the Department determines, after investigation, that any person is engaged in an activity causing, threatening, or allowing the discharge of a pollutant into Reservation waters, which pollution, in the opinion of the Department, constitutes a clear, present, and immediate danger to human health or to the livelihood of Reservation residents, the Department shall issue its written order to said person that he must immediately cease or prevent the discharge of such pollutant into such waters and thereupon such person shall immediately discontinue such discharge. Concurrently with the issuance of such order, the Department may seek a restraining order and injunction.

Part 2 Classification and Standards

1-2-201. Classification of Reservation Waters.

(1) Within one year of the effective date of this Ordinance, the Department may recommend to the Council the adoption, by rule, of an interim classification of Reservation waters, based upon the best information available to the Department at the time of proposing the interim classification. If such interim classification is proposed and adopted by rule, such rules shall

expire one year from the date of adoption, and, prior to such expiration, the Department shall recommend to the Council for adoption a revised classification, based upon such information as that described in subsection (2).

(2) The types of classes of Reservation waters, except waters discharged from point sources, and the assignment of a particular water body or segment thereof into a particular class shall be promulgated by rule and may be based upon any relevant characteristic, such as

(a) the extent of existing pollution or the maximum extent of pollution to be tolerated as a goal,

(b) whether or not pollution arises from natural sources,

(c) present beneficial uses of the water, or the beneficial uses that may be reasonably expected in the future for which the water is suitable in its present condition, or the beneficial uses for which it is to become suitable as a goal,

(d) the character, uses, and status of the riparian lands or, in the case of subsurface water, of the overlying lands,

(e) the need to protect or enhance the quality of the water for public water supplies, for the propagation of fish and wildlife, for recreation, and for other existing beneficial uses, such as domestic, agricultural, and industrial uses and the need to minimize negative impacts on existing water uses, and

(f) the type and character of the water, such as surface or subsurface, and, if surface, lake, stream, or wetland,

together with volume, flow depth, stream gradient, temperature, surface area involved, and daily or seasonal variability of any such characteristics.

1-2-202. Reconsideration and Revision of Classification.

After the adoption of rules classifying Reservation waters, which are not an interim classification, the Department shall review and reconsider the classifications and their application to particular water bodies or segments from time to time, but not less often than every three years, in light of the best available information then available to it, and recommend to the Council any amendments or revisions to the classifications that it deems necessary or desirable, or report to the Council that no revisions to the classifications are needed, together with the reasons therefore.

1-2-203. Scope of Water Quality Standards. Water quality standards may be promulgated by rule for use in connection with any one or more of the classes of Reservation waters established pursuant to Section 1-2-202, and may be made applicable to any designated portion of Reservation waters or to all Reservation waters.

1-2-204. Interim Standards. Within one year of the effective date of this Ordinance, the Department may recommend to the Council the adoption, by rule, of interim water quality standards for Reservation waters, based upon the best information available to the Department at the time of recommending the interim standards, including, but not limited to, standards adopted by the State of Montana. If interim standards are adopted, they

will not necessarily form the bases for permanent standards, and the rules reflecting such interim standards shall be temporary in nature and shall expire two years from the date of adoption. Prior to such expiration, the Department shall recommend to the Council permanent standards based upon the Department data base as provided in Section 1-2-207 and the considerations described in Section 1-2-208.

1-2-205. Discharge of Toxic Pollutants Prohibited. The discharge of toxic pollutants into Reservation waters is prohibited. The Department shall not recommend, nor shall the Council adopt, a standard, either interim or final, permitting or limiting the discharge of toxic pollutants.

1-2-206. Antidegradation Policy. (1) The Department shall develop and recommend to the Council for adoption as a part of the water quality standards an antidegradation policy and methods implementing the same for all Reservation surface waters.

(2) At a minimum, the antidegradation policy and implementing methods shall include the following:

(a) The maintenance and protection of existing instream uses and a level of water quality necessary to protect existing instream uses;

(b) Where the quality of the waters exceed levels necessary to support propagation of fish and wildlife and recreation in and on the water, that quality shall be maintained and protected unless the Department and the Council finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the Tribal continuing planning

process (Section 1-2-402) that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located. Moreover, in allowing any degradation or lower water quality, the Department and the Council shall assure water quality adequate to protect existing uses fully, and assure the highest requirements for all new and existing point sources and all cost-effective and reasonable best management practices for point source and nonpoint source control.

(c) Where high quality waters constitute an outstanding Tribal resource, such as waters of ecological, recreational, or cultural significance, that water quality shall be maintained and protected.

1-2-207. Standards to be Based on Measurable Characteristics.

The Department shall propose to the Council water quality standards which describe measurable, numerical, characteristics of Reservation waters or the permissible parameters for the pollution of Reservation waters, or both. Water quality standards are not limited to, but may include, such characteristics as:

- (1) suspended solids, colloids, and combinations of solids with other suspended substances;
- (2) bacteria, fecal coliform, fungi, viruses, and other biological constituents and characteristics;
- (3) dissolved oxygen, and the extent of oxygen-demanding substances;
- (4) phosphates, nitrates, and other dissolved nutrients;

- (5) pH and hydrogen compounds;
- (6) chlorine, heavy metals, and other chemical constituents;
- (7) salinity or alkalinity;
- (8) trash, refuse, oil and grease, and other foreign material;
- (9) taste, odor, color, and turbidity; and
- (10) temperature.

1-2-208. Considerations in Recommending Water Quality Standards.

In recommending permanent water quality standards, the Department shall consider:

- (1) The need for standards which regulate specified pollutants, other than toxic pollutants;
- (2) Such information as may be available to the Department as to the degree to which any particular type of pollutant is subject to treatment or to reduction through the initiation of best management practices; the availability, practicality, and technical and economic feasibility of treatment techniques and best management practices; the impact of treatment upon water quantity; and the significance of the discharge or nonpoint source in relation to the degree of pollution in the water body or segment thereof;
- (3) The continuous, intermittent, or seasonal nature of the pollutant to be controlled;
- (4) The existing extent of pollution;
- (5) Whether the pollutant arises from natural sources;
- (6) The beneficial uses to be made of the water;

(7) Such information as may be available to the Department regarding the persistence, cumulative effects, and degradability of a pollutant in the food chain of aquatic biota, and the parameters of the biological risk associated with the presence of a pollutant in a water body or segment; and

(8) The compatibility of the standards with the water quality standards adopted by the State of Montana for the waters in drainages upstream and downstream from the Flathead Reservation and with regional or intergovernmental water quality management plans.

1-2-209. Recommendations for Standards Based on Statistical Methods. In recommending water quality standards based upon or using statistical methodologies for deriving numerical data for pollutants, the Department shall not rely upon statistics or statistical methodologies which are not demonstrably compatible with Reservation water quality data.

1-2-210. Review and Revision of Standards. After the adoption of permanent water quality standards and upon petition of any interested person, or upon its own motion, but not less often than every third year, the Department shall review the water quality standards for consistency with the policies set forth in this Title and in the federal Act and with any additional information gathered by the Department. If the Department determines that an inconsistency exists or that there is a need for clarification, the Director of the Department shall recommend appropriate revision of the standards to the Council.

Part 3
Regulations Controlling Discharges

1-2-301. Scope of Control Regulations. The Department may recommend to the Council the adoption of rules controlling discharges from point sources as follows:

(1) Establishing prohibitions, concentrations, and effluent standards or limitations on the extent of specifically identified pollutants, including, but not limited to, those mentioned in Section 1-2-207, that any person may discharge into any specified class of Reservation waters;

(2) Establishing pretreatment requirements, prohibitions, concentrations, and effluent standards or limitations on wastes any person may discharge into any specified class of Reservation waters from any type of facility, process or activity; and

(3) Establishing precautionary measures, both mandatory and prohibitory, that must be taken by any person owning, operating, or maintaining any facility, process, activity, or waste pile that does cause or could reasonably be expected to cause pollution of Reservation waters in violation of controlling rules or that does cause the quality of Reservation waters to be in violation of any applicable water quality standard.

1-2-302. Consideration in Recommending Rules to Control Discharges. In the formulation of a recommendation to the Council to adopt rules controlling discharges, the Department shall consider the following:

(1) The need for rules controlling discharges of specified pollutants that are the subject of water quality standards for the receiving waters;

(2) The need for rules specifying treatment requirements for various types of discharges;

(3) The degree to which any particular type of discharge is subject to treatment, the availability, practicality, and technical and economic feasibility of treatment techniques, and the significance of the discharge in relation to the pollution of the receiving waters;

(4) Pretreatment standards, effluent limitations, and other control requirements promulgated by federal agencies;

(5) The continuous, intermittent, or seasonal nature of the discharge to be controlled; and

(6) The need for promulgation of safety precautions that should be taken to protect water quality including, but not limited to, requirements for the keeping of logs and other records, requirements to protect subsurface waters in connection with mining and the drilling and operation of wells, and requirements as to settling ponds, holding tanks, and other treatment facilities for wastewaters that will or may enter Reservation waters.

1-2-303. Rules for Wasteload Allocations and Total Maximum Daily Loads. Maximum wasteload allocations and total maximum daily loads developed in connection with the continuous planning process and with the preparation and adoption of a comprehensive water quality management plan as provided in Sections 1-2-402 and

1-2-403 shall be recommended by the Department to the Council for incorporation, as appropriate, into the rules controlling discharges from point sources.

Part 4
Assessment Reports, Continuous
Planning Process and Management Plans

1-2-401. Assessment Reports. In addition, to the first report, as provided in Section 1-2-103(6), the Department shall prepare subsequent reports, no less often than biennially, assessing Reservation water quality. The reports shall be submitted to the Tribal Council, and, after public notice and an opportunity for oral or written comment by any interested person, to the Environmental Protection Agency. The reports shall include, at a minimum:

(1) Surface water quality generally:

(a) A description of the quality of all Reservation surface waters during the preceding biennium, taking into account seasonal and other variations, and correlated with the Tribal water quality standards and with the analysis required in (b) below;

(b) An analysis of the extent to which Reservation surface waters provide for public drinking water supplies, for the protection and propagation of indigenous fish and wildlife populations, and for recreation on and in the water;

(c) A description of the progress made in eliminating the pollution of Reservation waters and recommendations for

additional steps to be taken toward the goals established by the water quality standards; and

(d) An estimate of the environmental impact and economic and social costs necessary to achieve the objectives of this Title and of the federal Act and the economic and social benefits of achievement.

(2) Lakes and wetlands:

(a) An identification and classification, according to water quality conditions, of all Reservation lakes;

(b) A description of the procedures, processes and methods, both in use and proposed, to control sources of lake and wetland pollution;

(c) A description of current and proposed methods and procedures, undertaken in conjunction with appropriate federal and state agencies, to restore lake and wetland quality;

(d) A description of the degree of acidity of lakes and any measures taken or to be taken to mitigate the acidity;

(e) A list of lakes and wetlands with uses impaired, including those lakes and wetlands that do not meet water quality standards or that require control programs to meet the standards; and

(f) An assessment of the status and trends of lake and wetland quality and of any net loss or gain of natural or artificial wetlands;

(3) Nonpoint sources:

(a) A description of the nature and extent of nonpoint source pollution of Reservation surface and subsurface waters,

together with recommendations for controlling such pollution and an estimate of the cost of implementing such recommendations;

(b) An identification of Reservation surface waters which, without action to control nonpoint sources, cannot be expected to attain or maintain Tribal water quality standards;

(c) An identification of categories and subcategories of nonpoint sources which add significant pollution to surface waters in amounts which contribute to any failure to meet Tribal water quality standards;

(d) A description of the process, including intergovernmental cooperation and public participation, for identifying the best management practices to control each category and subcategory of nonpoint source pollution to the maximum extent possible; and

(e) An identification and description of Tribal or intergovernmental programs to control nonpoint source pollution, including any programs receiving federal assistance for nonpoint source management or for protecting the quality of subsurface water.

1-2-402. Continuous Planning Process. The continuous planning process to be carried out by the Department pursuant to Section 1-2-103(4) includes provisions for rulemaking, for development and revision of the comprehensive water management plan, for revision of surface water classifications and water quality standards, for the preparation and submission of assessment reports, and for, without limitation:

(1) Effluent limitations and schedules of compliance for point sources by category or for individual point sources at least as strict as those promulgated by the Environmental Protection Agency;

(2) The incorporation of any areawide wastewater treatment management plan;

(3) The identification and revision, as necessary, of wasteload allocations and total daily maximum loads to be included in the comprehensive management plan;

(4) Provision for an inventory and ranking of wastewater treatment works and for controls over the disposition of sewage sludge and other waste from water treatment processing; and

(5) Provision for revision of classifications, standards, and management plans, and for implementation of and compliance with water quality standards and with the comprehensive management plan, including the nonpoint source management plan.

1-2-403. Comprehensive Water Quality Management Plan. Within one year of the first recommended comprehensive water quality management plan as provided in Section 1-2-103(5), and at least every third year thereafter, the Department shall recommend such revisions, deletions, or additions to the plan as may appear necessary or desirable in the course of the continuous planning process. Implementation measures, as well as limitations and standards, contained in the recommended plan shall be in the form of recommended rules, and any comprehensive plan or revision thereof shall be available to the public, who shall be supplied with notice of the availability and an opportunity to be heard on

any or all aspects of the plan. The plan must contain, but is not limited to, the following elements:

(1) An identification of Reservation waters where present limitations on discharges from point sources and publicly owned treatment plants are insufficient to meet water quality standards and the priority of these according to the severity of the pollution and the uses to be made of the waters, and, for these waters, in accord with their priority ranking, the establishment of a total daily maximum load of pollutants that are not toxic pollutants listed by the Environmental Protection Agency, with seasonal variations and margins of safety.

(2) An identification of Reservation waters where controls on thermal pollution are insufficient, and the establishment, for these waters, of a maximum thermal load to protect a balanced indigenous population of fish and wildlife;

(3) An identification of all other Reservation waters, and for each, an estimate of the maximum daily load of pollutants that are not toxic pollutants listed by the Environmental Protection Agency, with seasonal variations and margins of safety sufficient to insure balanced indigenous populations of fish and wildlife;

(4) Nonpoint source management:

(a) An identification of the best management practices and measures to be undertaken to reduce pollutant loading from each category and subcategory of nonpoint source pollution in each Reservation watershed, taking into account the impact of best management practices on groundwater quality;

(b) An identification of programs to achieve best management practices;

(c) A schedule, with milestones, for the implementation of best management practices in each Reservation watershed;

(d) Sources of federal funding and other funding available to assist in controlling nonpoint source pollution for four years; and

(e) A description of the involvement in nonpoint source pollution control of local public and private agencies and organizations which have experience in control of nonpoint source pollution.

CHAPTER 3 Permitting, Penalties, and Remedies

Part 1 Permitting and Certification

1-3-101. Permits Required for the Discharge of Pollutants.

Except as otherwise provided in this Chapter, no person shall discharge any pollutant into Reservation waters without having first obtained a permit from the Department for such discharge. Neither a permit issued pursuant to this Chapter nor an application therefore creates or recognizes a right in the permittee or applicant to use Reservation waters for beneficial purposes or any other property right or interest.

1-3-102. Administration of Permits. The Department shall examine applications for and may issue, suspend, revoke, modify, deny, and otherwise administer permits for the discharge of pollutants into Reservation waters.

1-3-103. Relationship to Federal NPDES Permits. To the extent authorized by the federal Act, the Department may provide by agreement with the Environmental Protection Agency or by other intergovernmental agreement, as appropriate, for Departmental administration of National Pollution Discharge Elimination System (NPDES) permits issued to owners or operators of point sources under the Act. Any such agreement shall include provision for the authority and responsibility to enforce NPDES permit conditions to remain with the federal agency or agencies, but the Department may be authorized to investigate any alleged violation of an NPDES permit.

1-3-104. Application for Permits. (1) A complete and accurate application for all discharges shall be filed with the Department.

(a) for all existing point sources, within one year after the Department receives notice from the Environmental Protection Agency that all preconditions to the exercise of Tribal permitting authority are satisfied, and publication of said notice in a newspaper of general circulation; and

(b) for all new sources to be constructed after the publication of the notice referred to in subsection (1)(a) above, within 180 days prior to the date proposed for commencing the discharge.

(2) The application shall contain such relevant plans, specifications, water quality data, and other information relating to the existing or proposed discharge as the Department may reasonably require.

(3) Owners or operators of new point sources may request, and if so requested the Department shall grant, a planning meeting with the applicant. At such meeting, the Department shall advise the applicant of the applicable permit requirements, including the information, plans, specifications, and the data required to be furnished with the permit application.

1-3-105. Incomplete Applications. An applicant shall be advised not more than 45 days after the receipt of an application by the Department if, and in what respects, the application is incomplete. If additional information is requested by the Department within the 45 day period, the Department shall have 15 days from the date the additional information is submitted to determine whether the additional information which was submitted satisfies the request and to advise the applicant if, and in what respects, the additional information does not satisfy the request. A decision that an application is not complete is appealable administratively and judicially pursuant to the Tribal Administrative Procedures Ordinance. A petition for review of such decision shall be given administrative and judicial priority.

1-3-106. Review, Notice, and Comment on Applications for Discharges by New Sources. (1) The Department shall evaluate complete permit applications to determine whether the proposed discharge will comply with all applicable federal and Tribal statutes and rules.

(2) Public notice of a complete permit application and the Department's preliminary analysis thereof shall be given by

publication in a daily newspaper of general circulation within the Reservation and shall be mailed to any person upon request. The notice shall advise of the opportunity for interested persons to submit written comments on the permit application and on the Department's preliminary analysis.

(3) If a public meeting is requested and the Department, in its discretion and for good cause shown, grants such request, the Department shall hold such meeting not more than 60 days after the initial public notice. The Department shall provide notice as provided in subsection (2) of this Section of the public meeting not less than 15 days prior to the date of such meeting.

(4) The period for public comment shall close 30 days from the date of notice of the permit application, or, if a public meeting is held, 60 days from the date of notice of the application.

1-3-107. Review, Notice, and Comment on Applications of Existing Sources. Notice of applications and opportunity for comment on applications submitted by owners and operators of point sources existing on the Reservation on the effective date of this Title will be made available only to interested persons upon request, unless the Department determines that a variance to permit conditions should be issued. In the event of such a determination, the review, notice, and comment provisions applicable to new sources shall be followed by the Department.

1-3-108. Time for Issuance or Denial of Permit. The Department shall issue or deny a permit within 120 days after receipt of a complete application unless the time limit is waived or extended by the applicant or by the operation of the federal Act.

1-3-109. Permit Rules and Conditions. (1) The Department shall recommend to the Council such rules as may be necessary and proper for the discharge of pollutants by point sources. Such rules shall be consistent with the provisions of this Title and with federal requirements.

(2) Such rules may pertain to and implement, among other matters, permit and permit application contents, procedures, requirements, and restrictions with respect to the following:

(a) Identification and address of the owner and operator of the activity, facility, or process from which the discharge is to be permitted;

(b) Location and quantity and quality characteristics of the permitted discharge;

(c) Effluent limitations and conditions for treatment prior to discharge to a publicly owned treatment works;

(d) Monitoring as well as record-keeping and reporting requirements consistent with standard procedures and methods established by the Department;

(e) Schedules of compliance;

(f) Procedures to be followed by Department personnel for entering and inspecting premises;

(g) Submission of pertinent plans and specifications for the facility, process, or activity which is the source of a waste discharge;

(h) Restrictions on transfers of the permit;

(i) Procedures to be followed in the event of expansion or modification of the process, facility, or activity from which the discharge occurs or the quality, quantity, or frequency of the discharge;

(j) Duration of the permit, not to exceed five years, and renewal procedures;

(k) Authority of the Department to require changes in plans and specifications for control facilities as a condition for the issuance of a permit;

(l) Identification of control regulations over which conditions of a permit may take precedence and a similar identification of rules over which permit conditions may never take precedence;

(m) Notice requirements of any intent to construct, install, or alter any process, facility or activity that is likely to result in a new or altered discharge; and

(n) For treatment works, such terms and conditions as the Department deems necessary or desirable to assure continuing compliance with applicable control regulations. Such terms and conditions may require that the permittee shall:

(A) Require pretreatment of effluent from industrial, governmental, or commercial facilities, processes,

and activities before such effluent is received into the gathering and collection system of the permittee;

(B) Prohibit any connection to any permittee's interceptors and collection system that would result in receipt by the permittee of any effluent other than sewage;

(C) Initiate engineering and financial planning for expansion of the treatment works whenever effluent put through the works and treatment reaches eighty percent (80%) of capacity;

(D) Commence construction of treatment works expansion whenever effluent put through the works and treatment reaches ninety-five percent (95%) of design capacity;

(o) Inclusion of the requirements authorized by paragraphs (C) and (D) of subsection (2)(n) of this Section shall be presumed unnecessary to assure compliance upon a showing that the area served by the treatment works has a stable or declining population; but this provision shall not be construed as preventing periodic review by the Department if there is reason to believe that growth is occurring or will occur in the area.

1-3-110. Permit Issuance. The Department shall issue a permit in accordance with the rules promulgated under this Part and with the federal Act and the regulations thereunder when the Department determines that the application and the proposed permit meet all requirements of this Title and of the federal Act.

1-3-111. **Runoff and Return Flows.** Runoff from agricultural lands, storm runoff, and irrigation return flows are not point sources and are not, therefore, subject to the permitting system, provided, however, that the owner or operator of any system of works which stores, collects, conveys, or discharges such flow shall comply with the water quality standards established for the receiving waters in accordance with rules recommended by the Department and adopted by the Council. Such compliance shall include protection of agricultural, domestic, industrial, public drinking water, and instream uses made of the waters stored, collected, or conveyed prior to the construction of the system of works.

1-3-112. **Limitations on Permit Issuance.** (1) No permit shall be issued which is inconsistent with any duly promulgated land use or water quality management plan or with any portion of any approved regional wastewater management plan unless all other requirements and conditions of this Title have been met or will be met pursuant to a schedule of compliance or a variance specifying treatment requirements as determined by the Department.

 (2) No permit shall be issued which allows a violation of a control regulation unless the permit contains effluent limitations and a schedule of compliance or a variance specifying treatment requirements as determined by the Department.

 (3) No permit shall be issued which allows a discharge that by itself or in combination with other pollution will result in pollution of the receiving waters in excess of the pollution

permitted by an applicable water quality standard unless the permit contains effluent limitations and a schedule of compliance specifying treatment requirements. Effluent limitations designed to meet water quality standards shall be based on application of appropriate physical, chemical, and biological factors reasonably necessary and feasible to achieve the levels of protection required by the standards.

(4) No permit shall be issued prior to its review and approval by the Environmental Protection Agency where such approval is required by the federal Act or by regulations adopted thereunder.

1-3-113. Procedures upon Modification or Denial of Permit.

If the Department denies an application for a permit or modifies a permit during its term, the Department shall give written notice of its action to the applicant or permittee, who may appeal the decision as provided by the Tribal Administrative Procedures Ordinance. If a permittee does not appeal the decision to modify a current permit, the modification shall take effect 30 days after receipt of notice by the permittee unless the Department specifies a later date. If the permittee appeals a modification, the modification shall be effective 20 days after the permittee has received the decision of a hearings officer ordering such modification.

1-3-114. Variances. (1) The Department may grant a variance from otherwise applicable requirements only to the extent authorized in the federal Act or implementing regulations. Variances may be granted for no longer than the duration of the permit.

(2) (a) Any request for a variance with respect to a permit condition shall be made within 30 days after issuance by the Department of the final permit. Requests for variances from any other application of a control regulation shall be made within 30 days of public notice by the Department of the proposed regulation or prior to operation of any new or expanded facility which would be affected by the control regulations. A variance may also be sought within 30 days of facts becoming available which had not been reasonably available to the applicant prior to that time.

(b) The Department shall approve or disapprove any variance request and shall issue the Director's decision within 90 days after receipt of the variance request. Notice of a variance request shall be sent to anyone who has requested such notice. In the case of a variance being granted prior to the final permit being issued, the Department shall publish for public notice and comment the entire draft permit with the variance incorporated therein. In the case of a variance granted after a final permit has been issued, the Department shall publish for public notice and comment the variance as a proposed modification to the permit. Variance decisions of the Director of the Department shall be subject to review as a part of any challenge to the conditions of a final discharge permit, to the modification of a permit, or to the application of a control regulation.

1-3-115. Permit Fees. The only fee the Department may assess is an annual fee to be paid by the owner or operator of a permitted

point source discharge. Fees collected shall be paid into the Tribal general fund. The Department shall recommend to the Council a schedule of fees to be adopted by rule. The recommended schedule shall be organized by categories and subcategories of point sources and shall be reasonably related to:

- (1) the estimated cost to the Department of monitoring permit compliance,
- (2) the rate and volume of the discharge, and
- (3) the physical, chemical, or biological properties of the pollutants discharged.

1-3-116. Prohibition of Discharge of Sewage from Vessels.

The Department may recommend to the Council for adoption rules prohibiting the discharge of sewage from vessels into the southern half of Flathead Lake. No such prohibition shall become effective until the Environmental Protection Agency determines that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels on the southern half of Flathead Lake are reasonably available. For purposes of this Section, "vessel" means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on Flathead Lake.

1-3-117. Marine Sanitation Devices on Houseboats.

The Department may recommend for adoption by the Council rules regulating the design, installation, or use of any marine sanitation device on a houseboat if such rules are more stringent than the standards and rules promulgated by the Environmental

Protection Agency under the federal Act. For purposes of this section, the term "houseboat" means a vessel which, for a period of time determined by rule, is used primarily as a residence and is not used primarily as a means of transportation.

1-3-118. Underground Fuel Storage. (Reserved)

1-3-119. Certification. (1) Upon fulfillment of all federal conditions for approval of its certification program, the Department may certify compliance with all applicable water quality requirements by an applicant for a federal license or permit to conduct any activity within the exterior boundaries of the Reservation which may result in a discharge into Reservation waters. Such activity may include, but is not limited to, the construction or operation of facilities pursuant to such federal license or permit.

(2) The Department shall recommend to the Council for adoption rules providing for public notice of all applications for certification and, as it may deem appropriate, for procedures for public hearings in connection with specific applications.

Part 2

Prohibition, Civil Penalties, and Remedies

1-3-201. Prohibited Activity. (1) It is unlawful to:

(a) cause pollutants as defined in Section 1-1-102 to be introduced into any Reservation waters or to place or cause to be placed any wastes in a location where they are likely to cause pollution of any Reservation waters;

(b) violate any provision set forth in a permit, including but not limited to limitations, standards, and conditions contained therein;

(c) violate any order issued pursuant to this Title; or

(d) violate any provision of this Title or any control regulation or implementing rule promulgated pursuant to this Title.

(2) It is unlawful to carry on any of the following activities without a current permit from the Department:

(a) construct, modify, or operate a disposal system which discharges into any Reservation waters;

(b) construct or use any outlet for the discharge of sewage, industrial wastes, or other wastes into any Reservation waters; or

(c) discharge sewage, industrial wastes, or other wastes into any Reservation waters.

1-3-202. Notification of Unpermitted Discharges -- Penalty.

(1) Any person engaged in an operation or activity which results in a spill or discharge of any substance which may cause pollution of the waters of the Reservation contrary to the provisions of this Title shall, as soon as he has knowledge thereof, notify the Department of such spill or discharge. If the immediate notification is verbal, it shall be followed by written notification within three calendar days of the unpermitted discharge. The Department shall recommend to the Council rules specifying the content and form of such written notice.

(2) Failure to so notify as soon as practicable is a violation of this Title, and the Department shall bring a civil action for failure to notify against the person whose operation or activity resulted in the discharge. If the failure to notify is proved, the Tribal Court may assess the discharger a penalty not to exceed \$25,000, exclusive of cleanup costs.

1-3-203. Spill Contingency Plan. The Department shall develop a spill contingency plan in conformity with 33 U.S.C. Section 1321 and rules promulgated pursuant thereto and in consultation with the Environmental Protection Agency and such other agencies as may be necessary or appropriate. The plan may take the form of an intergovernmental agreement or rules recommended to the Council for adoption, or both. Nothing in this section affects or diminishes the Department's responsibilities or authority, as provided in Section 1-2-104, 1-3-202, and 1-3-204 of this Title, to deal with emergencies arising from spills or unpermitted discharges.

1-3-204. Cleanup Orders. (1) The Department may issue an order to any person to clean up any material which he, his employee, or his agent has accidentally or purposely dumped, spilled, or otherwise deposited in or near Reservation waters which may pollute them.

(2) If a cleanup order is not complied with as soon as equipment and supplies needed for the cleanup can be brought to the site, or if the cleanup is not conducted in a manner satisfactory to the Department, the Department may undertake the cleanup, restoration of the site, and mitigation of any

environmental damages and assess the costs of the same, including administrative costs, against the noncomplying person.

1-3-205. Action by Other Parties. (1) Any person may apply to the Department to investigate and take action upon any suspected or alleged violation of any provision of this Title or of any order, permit, or rule issued or promulgated under authority of this Title.

(2) The factual or legal basis for proceedings or other actions that result from a violation of this Title or of any permit, order, or rule issued hereunder inure solely to the Confederated Salish and Kootenai Tribes for the benefit of the people of the Reservation, and it is not intended by this Title to create new private rights or to enlarge existing private rights. A determination that water pollution exists or that any standard has been disregarded or violated, whether or not a proceeding or action may be brought by the Department, shall not create any presumption of law or finding of fact which shall inure to or be for the benefit of any person other than the Confederated Salish and Kootenai Tribes.

(3) Nothing in this Section abridges or alters rights of action or remedies existing on or after the effective date of this Title, nor shall any provision of this Title or anything done by virtue of this title be construed as stopping persons from the exercise of their right to suppress nuisances.

1-3-206. Notice of Alleged Violation. (1) Whenever the Department has reason to believe that violation of a provision of this Ordinance, or an order, permit, or control regulation issued

or promulgated under the authority of this Title has occurred, the Department shall cause written notice to be served personally or be certified mail, return receipt requested, upon the alleged violator or his agent designated for service of process. The notice shall state the provision alleged to be violated and the facts alleged to constitute a violation, and it may include the nature of any corrective action proposed to be required.

(2) Each cease and desist or compliance order issued pursuant to Sections 1-3-208 or 1-3-209 respectively shall be accompanied by or have incorporated in it the notice provided for in subsection (1) of this Section unless such notice has been given prior to issuance of such cease and desist or compliance order.

1-3-207. Hearing Procedures for Alleged Violations. (1) In any notice given under Section 1-3-205, the Department shall require the alleged violator to answer each alleged violation and require the alleged violator to appear at a public hearing before a hearing officer to provide such answer. Such hearing shall be held no sooner than 15 days after service of the notice, except that the hearings officer may set an earlier date for hearing if it is requested by the alleged violator.

(2) Hearings held pursuant to this Section shall be conducted in accordance with the contested case provisions of the Tribal Administrative Procedures Ordinance.

1-3-208. Suspension or Revocation of Permit. Upon a finding and determination, after hearing, that a violation of a permit provision has occurred, a hearings officer may suspend or revoke

the permit and determine the civil penalties, if any, for which the violator shall be liable pursuant to Section 1-3-211.

1-3-209. Cease and Desist Orders. If the Director of the Department determines that a violation of any provision of this Title or of any order, permit, or control regulation issued or promulgated under authority of this Title exists, the Department may issue a cease and desist order. Such order shall set forth the provision alleged to be violated, the facts alleged to constitute the violation, and the time by which the acts or practices complained of must be terminated. The operation of a cease and desist order shall not be stayed by a hearings officer pending the hearing provided for in Section 1-3-206.

1-3-210. Compliance Orders. A person violating a condition, limitation, standard, or other requirement established pursuant to this Title may be served with a compliance order issued by the Department. The order must specify the condition, limitation, standards, or other requirement violated and must set a time for compliance. In establishing a time or schedule for compliance, the Department shall take into account the seriousness of the violation and any good faith efforts that have been made to comply with condition, limitation, standards, or other requirements that have been violated. A compliance order shall be served either personally or by certified mail.

1-3-211. Injunctions Authorized. (1) The Department is authorized to commence a civil action in Tribal Court seeking appropriate relief, including a permanent or temporary

injunction, for a violation which would be subject to a compliance order under Section 1-3-209.

(2) The Department may bring an action for an injunction against the continuation of an alleged violation of the terms or conditions of a permit or any rule or effluent standard promulgated under the Title or against a person who fails to comply with an emergency order under Section 1-2-104. The Tribal Court may issue a temporary injunction if it finds that there is reasonable cause to believe that the allegations of the Department are true, and it may issue a temporary restraining order pending action on the temporary injunction.

1-3-212. Civil Penalties Remedies Cumulative. A person who violates this Title or a rule, permit, effluent standard, or order issued under the provisions of this Title shall be subject to a civil penalty not to exceed \$10,000 for each parameter violated. Each day of violation constitutes a separate violation. Action under this section does not bar enforcement of this Title or rules or orders issued under it by injunction or other appropriate remedy. All remedies under this Part are cumulative. All monetary penalties assessed under this Section or Section 1-3-203 are to be paid into the Tribal general fund.

1-3-213. Costs and Expenses -- Recovery by the Department. In a civil action initiated by the Department under this Part, the Department may ask for and the Tribal Court is authorized to assess a violator for the cost of the investigation or monitoring survey which led to the establishment of the violation and any expense incurred by the Department in removing, correcting, or

terminating any of the adverse effects upon water quality resulting from the unauthorized discharge of pollutants.

1-3-214. Intervention. Any person interested in a final decision or order of the Department may intervene, for good cause shown, in any proceeding stemming from such decision before a hearings officer or before the Tribal Court if the cause was not heard by a hearings officer.

C E R T I F I C A T I O N

The foregoing Ordinance was adopted by the Tribal Council on the 23rd day of October 1990, with a vote of 7 for, 1 opposed, and 0 not voting pursuant to authority vested in it by Article VI, Section 1 (a), (l), (n), and (u) of the Tribes' Constitution and Bylaws; said Constitution adopted an approved under Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended.

/S/

CHAIRMAN, TRIBAL COUNCIL

ATTEST:

/S/

EXECUTIVE SECRETARY